

Introduction

1. This statement of internal control provides assurance in respect of the Council's decision making framework; that it is up to date, fit for purpose, embedded and routinely applied.
2. The decision making framework is comprised of the documents, systems and processes which guide and control the way in which decisions are taken by Members and officers in relation to both council and executive functions.
3. In accordance with the principles and commitments set out in the Local Code of corporate Governance and the Council's values, the framework seeks to promote open, accountable decision making in addition to ensuring compliance with relevant statutory provision in respect of transparency.
4. The statement sets out the standing arrangements for the internal control of decision making and provides evidence of compliance over the reporting period from April 2021 to March 2022.
5. The statement includes opportunities that have been identified to improve these arrangements.



Define and Document

7. The Council’s decision making framework is clearly defined and documented within the Constitution. The Constitution is published each municipal year and therefore available to Elected Members, and officers together with the press and public, in the [‘library’](#) on the Council’s website.
8. **Systems and Processes** through which the Council ensures that decision making is lawful and compliant, open and transparent, furthers the Council’s strategic objectives, and takes account of available resources are set out in the Articles of the Constitution and further detailed in Rules of Procedure, and Codes and Protocols which guide and frame the culture in which decisions are taken.

| <u>Decision Making Framework: Documents which together establish the Council's decision making framework, providing for open and transparent decision making by Members and officers</u> | <u>Details of amendments made during reporting period if any.</u> |
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| <ul style="list-style-type: none"> • Article 4 The Full Council - defines the Council's budget and policy framework • Article 13 Decision Making - defines each category of decision and sets out the principles of decision making • Executive and Decision making Procedure Rules - provide for open, transparent and accountable decision making in relation to Executive functions • Access to Information Procedure Rules - provide for open, transparent and accountable decision making in relation to Council functions. • Budget and Policy Framework Procedure Rules - provide for open and inclusive development of budget and policy framework, setting parameters for executive decision making. | |
| <u>Rules of Procedure: Documents which set out rules of procedure for democratic decision making bodies, and those with oversight of decision making</u> | |
| <ul style="list-style-type: none"> • Council Procedure Rules • Executive and Decision Making Procedure Rules • Scrutiny Board Procedure Rules • Community Committee Procedure Rules • Access to Information Procedure Rules • Licensing Procedure Rules • Protocol for Public Speaking at Plans Panels | <p>Community Committee Procedure Rules amended May 2021 to reflect changes in directorate alignments</p> |

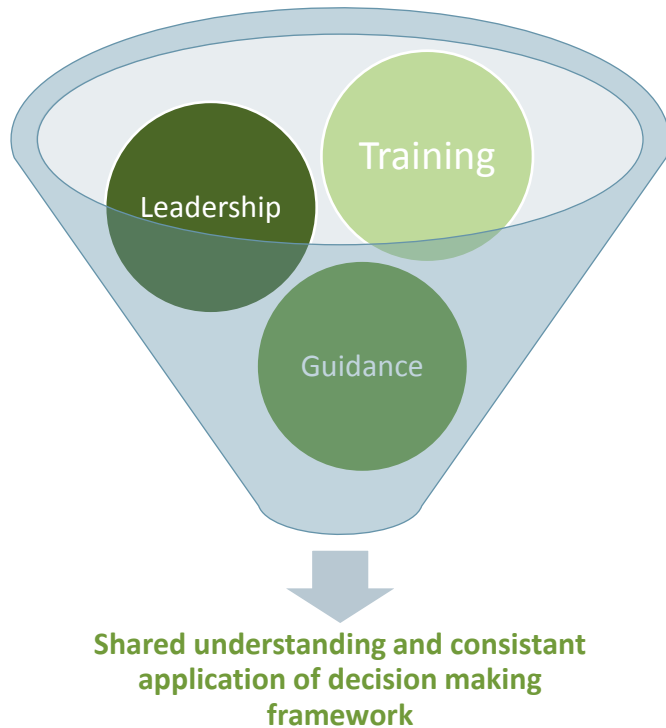
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| <p>Ethical Framework for Decision Making: Codes and Protocols which together establish the ethical framework within which decisions are taken</p> | |
| <ul style="list-style-type: none"> • Members’ Code of Conduct • Officers’ Code of Conduct • Roles of members and officers in decision making • Planning Code of Good Practice • Code of Practice for the Determination of Licensing matters | <ul style="list-style-type: none"> • Members’ Code of Conduct updated to reflect Local Government Association Model Councillor Code of Conduct March 2021 with minor amendments for clarification May 2021. Further amendments made May 2022 reflecting amendments to model code. • A review of the Protocol on the Role of Members And Officers In Decision Making is underway. |

9. **Roles and Responsibilities** are delineated with clear terms of reference for Council and Executive Committees, and comprehensive arrangements for delegation of functions to officers as set out below. Full Council determine responsibility in respect of Council functions; the Leader of Council determines their Executive Arrangements and presents these to full Council. Again, all arrangements are published in the ‘[library](#)’ on the Council’s website.

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|---|---|
| <p><u>Democratic Oversight: Arrangements for Member's oversight of decision making</u></p> | <p><u>Arrangements approved</u></p> |
| <ul style="list-style-type: none"> • Executive Portfolios - 8 executive portfolios described and aligned to officer delegations at Part 3, Section 3B(a and b) supported by Deputy and Support Executive Members. • Community Committee Champions - to provide local lead and facilitate local democratic accountability - defined at Part 3, Section 3D(b) • Scrutiny Board alignment - 5 overview and scrutiny committees aligned to officer delegations in Part 2, Article 6, Annex 2 | <ul style="list-style-type: none"> • Leader’s Executive arrangements amended April, May and November 2021. Executive arrangements for 2022/23 Municipal Year approved on 24th May 2022 and reported to the Annual Council Meeting on 26th May. |

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| <p><u>Democratic Decision Making: Arrangements for decision making by elected members in committee</u></p> | |
| <ul style="list-style-type: none"> • Functions reserved to full Council - defined in Functions of the Full Council at Part 3, Section 2A • Council Committee membership and terms of reference - set out at Part 3, Section 2B • Executive Committee terms of reference - set out at Part 3, Section 3C • Community Committee Executive Delegations - set out at part 3, Section 3Da | <p>Council Committees appointed at Annual Council Meeting May 2021, and again May 2022</p> |
| <p><u>External Delegations and Joint Working Arrangements: Arrangements with other authorities for the discharge of functions</u></p> | |
| <ul style="list-style-type: none"> • Delegations to and from other authorities in respect of Council functions - set out at Part 3, Section 2D • Joint Arrangements in respect of Council and Executive functions - set out at Part 3, Section 4 | |
| <p><u>Officer Delegations: Arrangements for the discharge of functions by officers</u></p> | |
| <ul style="list-style-type: none"> • Delegations from Council to Directors include general delegations shared by all Directors and functions delegated specifically to each Director - set out at Part 3 Section 2C • Delegations to Directors from the Leader of Council in respect of the discharge of executive functions include general delegations shared by all Directors and functions specifically delegated to each Director - set out at Part 3, Section 3E Each delegation is made for all relevant matters within the Director’s remit, subject to a saving that should the relevant Executive Member require it, or the Director consider it appropriate, the matter shall be referred to Executive Board for determination. | <p>Council Delegations to officers approved at Annual Council Meeting May 2021, and again May 2022</p> <p>Leader’s Executive arrangements amended April, and May 2021. Executive arrangements for 2022/23 Municipal Year approved on 24th May 2022 and reported to the Annual Council Meeting on 26th May.</p> |
| <p><u>Sub-delegations: Arrangements for the delegation of functions from Directors to officers of suitable experience and seniority</u></p> | |
| <ul style="list-style-type: none"> • Each Director is responsible for making maintaining their own scheme of delegation which is published on the Council's website. Authority set out in sub-delegations is bounded by such terms and conditions as are necessary and appropriate in the view of the Director who remains accountable for each function. | |

Clearly Communicate



10. In addition to publication of the Council's constitution the decision making framework is communicated to Members and officers through a combination of training, guidance and leadership. Together these ensure the communication of both the rules and processes required in formal decision making to ensure that decisions are lawful and compliant with both statutory and local processes; and establish the culture of open and transparent decision making, which is outcome focussed and based on quality and timely information.

Training

I somewhat enjoyed (in a strange way) the Council Structures and Decision Making course this morning and it has given me a better insight in how and why things are done the way they are. It has also given me a greater appreciation for the actual work the Councillors do for the constituents they represent and what they can bring to the schemes I work on and City of Leeds.

Officers:

11. Remote training sessions have been made available for officers to attend through MS Teams. Any officer can book a session via the performance and learning system, and sessions have been attended by over 320 members of staff. Feedback has been positive.
12. Separate video training sessions are being developed which split the decision making framework into bitesize sections for officers to learn or refresh their knowledge on individual areas. Proposed modules will include categorisation of decisions; controls on decision making; and practicalities of decision making.
13. In addition to the generalised training offer 121 briefing sessions are offered to all officers appointed to posts at Chief Officer level and above. These are tailored to the individual to reflect their public sector and local authority experience.

Members:

14. The induction material for newly elected Members of Council includes a short (at a glance) guide to the role of elected Members in decision making. This introduces Members to the ways in which they are able to exercise democratic oversight of decision making in addition to any direct contribution they may make as an appointed member of a relevant committee. This written material was supported with the offer of further advice or assistance should those Members require.
15. A further, more detailed, guide to decision making has been developed and is available for all Members.
16. It is intended that a remote briefing session will be offered to all Members in the autumn to supplement this written material and provide guidance on the roles of Members and officers in relation to delegated decision making.

Guidance

17. The Decision Making Toolkit, available to officers on Insite, is regularly updated with advice and guidance which can be accessed at officers' convenience, including guidance in relation to:
 - How to take a decision
 - How to record a delegated decision
 - Decision making in climate emergency
 - Guidance for writing reports for committee and officer decisions
18. In addition, a matrix of officers provide advice and guidance to those engaged in operational decision making to ensure that our decision making arrangements are fully embedded and result in decisions which comply with statutory requirements and are both transparent and robust.
19. Governance Support Managers act as gate-keepers for governance arrangements in directorates and are able to:
 - provide advice and guidance in relation to practice and procedure for officer decision making both corporately and within directorates;
 - arrange for the publication of relevant notices and documents in line with statutory and Constitutional requirements;
 - maintain the directorate record of administrative officer decisions;
 - liaise with staff in Democratic Services in relation to Committee agendas, reports and minutes;
 - provide check and challenge in relation to the use of corporate templates and sufficiency of information.
20. Colleagues with expertise from legal, human resources, finance and procurement and commercial services provide a further network of support and are able to:
 - give advice and guidance; and
 - provide timely check and challenge in relation to matters within their remit.
21. It is recognised that the value to be added to the governance of decision making through the provision of advice is dependent on report authors engaging with the relevant professionals in a timely manner. In order to best benefit from the expertise available, work continues

to ensure a culture in which advice is sought early, with decision makers engaging during the development of ideas to ensure opportunities are not missed (e.g. in relation to consultation; equalities, climate emergency) as well as being incorporated into the routine sign off of reports for Committee or officer decision making.

Leadership

22. Arrangements for Executive Board allow for the detailed consideration of reports to ensure that they support and enable open, transparent and robust decisions to be taken in accordance with the principles of decision making set out in Article 13 of the Constitution, including due regard to the need for consultation; appropriate consideration of the impact of proposals on equalities; and implications for performance and risk.
23. Similarly, officers with delegated authority are able to review decisions prior to approval to ensure appropriate controls are met. Arrangements for officer decision making are established by each Director accountable for decision making. Some directorates use decision making panels to support the officers with delegated authority, sharing ownership of decisions in this way, in others the officer with authority takes the decisions alone. In all cases the officer taking the decision can seek further information if not satisfied that the report provides sufficient detail.

Effectively Embed

Establish Expectation

Facilitate Compliance

Observe Outcomes

Establish Expectation: Establish arrangements that are proportionate, practicable and compliant

25. Regular reviews take place to ensure that the arrangements for recording and publication for officer decisions are proportionate, practicable and compliant with relevant legislation and constitutional provision. These ensure that the council is agile and responsive in its decision making whilst also remaining open and transparent.
26. Arrangements are set out in clear, accessible guidance, and published to the Decision Making Toolkit.
27. Communications have focussed both on the need to meet both statutory and local controls and to engage in open and transparent decision making in order to develop a culture of compliance.

Facilitate Compliance: Ensure appropriate tools and sufficient resource to enable compliance

28. The decision making framework requires that all key and significant operational decisions are published on the Council's website as soon as reasonably practicable after the decision is taken.
29. In order to assist officers preparing information and to ensure consistency of information available to decision makers, the following templates are maintained on the Decision Making Toolkit, together with clear guides to assist completion:
 - a. requests to add a Key Decision to the List of Forthcoming Key Decisions;
 - b. reports (to support decisions taken by committees or officers), and
 - c. delegated decision notices (for the recording of key and significant operational decisions taken by officers)
30. The Corporate Report Template supports clear articulation of the information necessary to take relevant decisions; provides focus on the strategic objectives of the council (inclusive growth, health and wellbeing and the climate emergency), and to avoid unnecessary duplication. The new template was introduced in April 2021, allowing officers opportunity to draft reports in preparation for decisions to be taken by officers to be recorded on the new template from the commencement of the municipal year. The template was available for committee use from May 2021 made compulsory from September 2021.
31. The Delegated Decision Notice (DDN) template was amended in February 2022, to ensure that decision notices record consultation and engagement with the Integrated Digital Service in relation to decisions impacting the Council's use of digital technology; and with the estate management team in relation to all matters relating to the Council's land and buildings.

32. When completed and approved relevant documents are published to the Council's website through Governance Support for each directorate, enabling Governance Support Managers to provide advice, check and challenge in relation to compliance with decision making controls.

Observe Outcomes: Provide ongoing assurance that practice and procedure reflect expectation

33. All published key decisions taken by officers are monitored to ensure that they comply with the requirements of the decision making framework. Where anomalies are identified these are escalated through directorate Governance Support Managers who are able to respond quickly to ensure compliance with relevant procedures or to correct administrative errors where these arise.

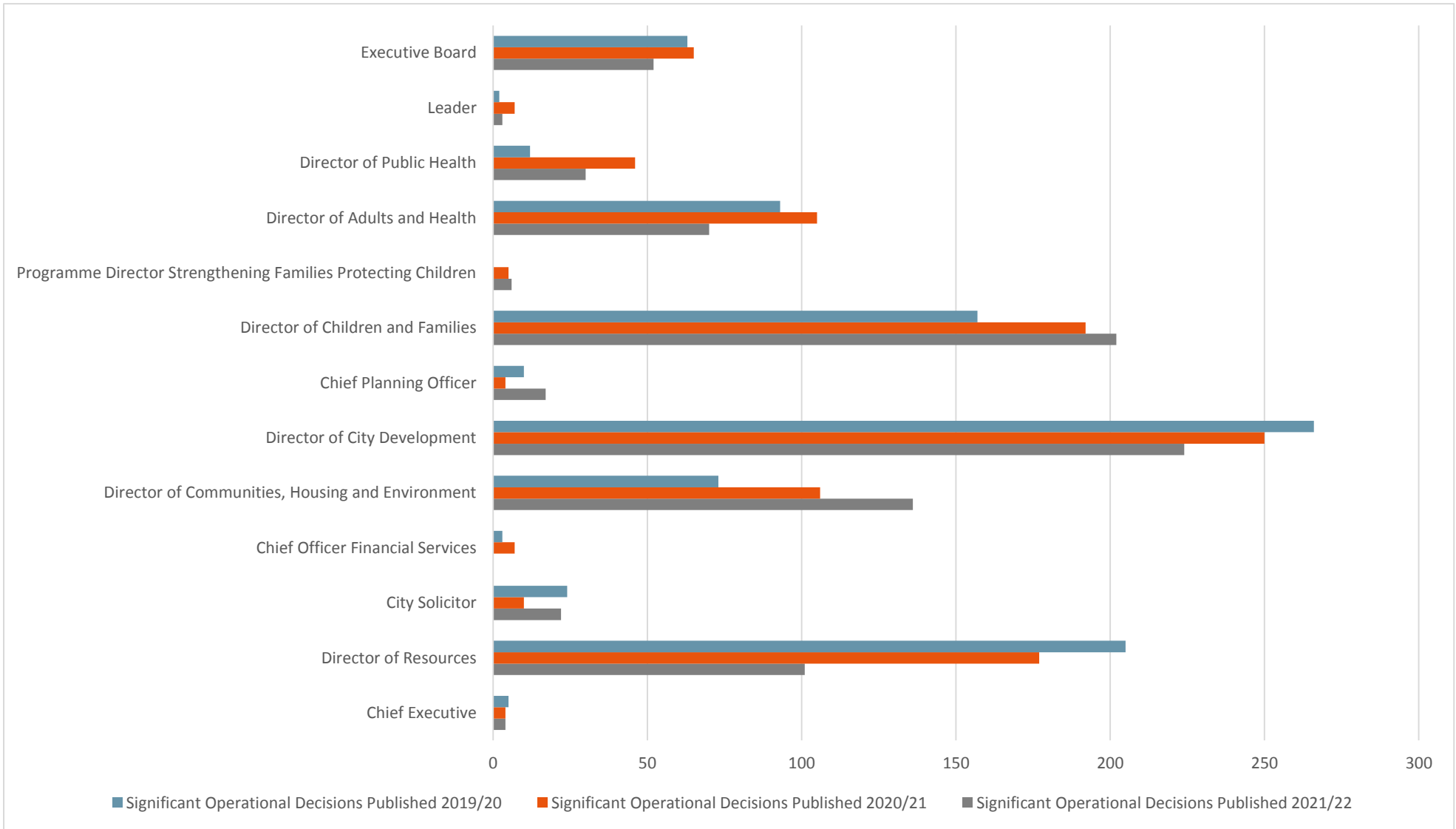
34. In addition, a weekly review of decisions published is compiled and shared with colleagues in financial services, procurement and governance support, allowing a comparison of decisions taken against financial recording and procurement activity to ensure that arrangements are consistently embedded within Directorates.

35. Decision Monitoring enables the tracking of decisions published in each directorate to identify any emerging trends in the number or scale of decisions taken when compared year on year.

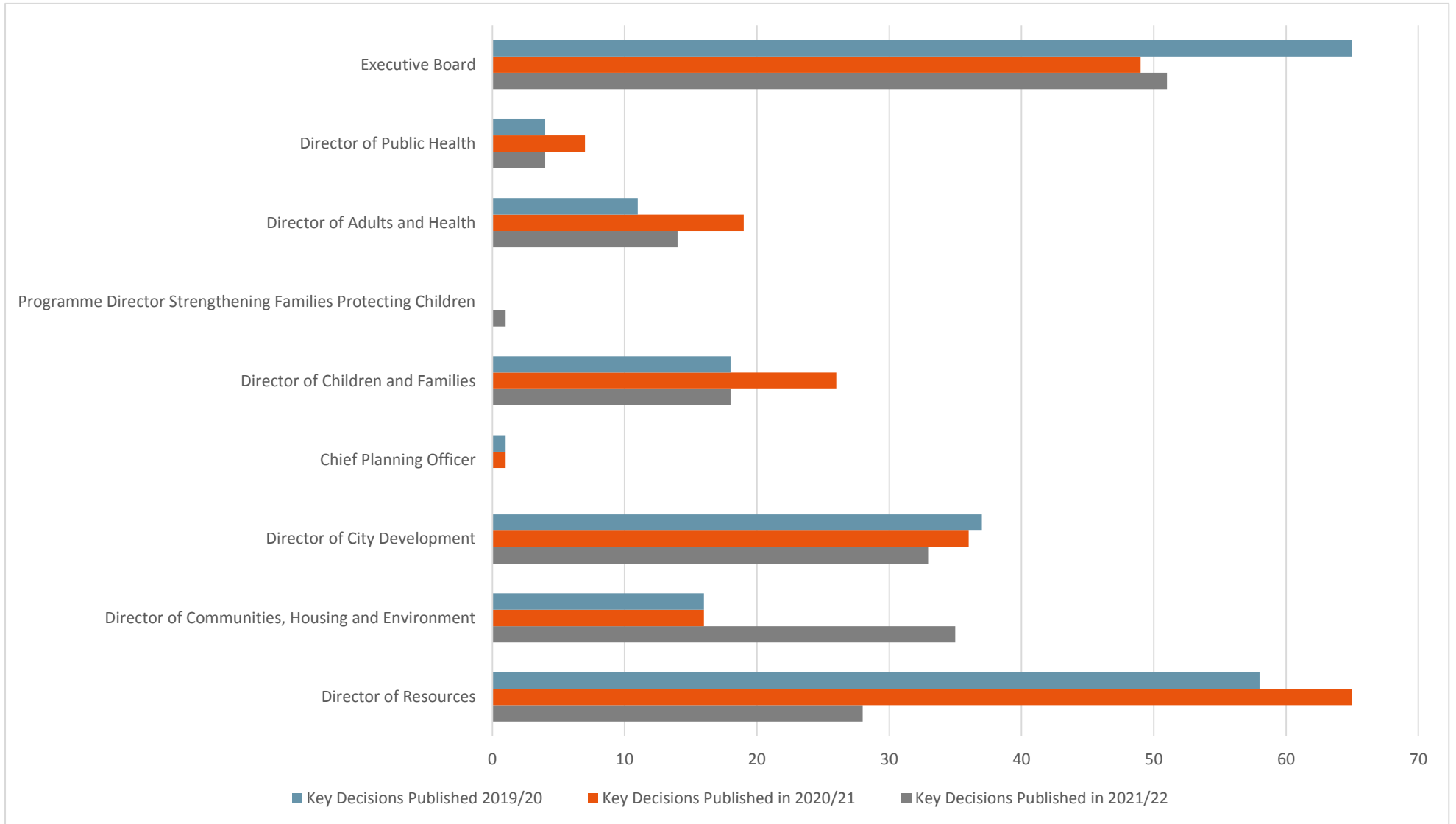
36. It can be seen from the data set out below that while there has been some variation in the quantity of decisions taken the distribution has remained in line with previous years. Members will note in particular that there has been:

- a. An increase in the number decisions taken by the Directors of Communities, Housing and Environments and a decrease in the number of decisions taken by the Director of Resources. This is due to the realignment of the housing functions from the Resources directorate to the Communities & Environment directorate.
- b. A decrease in the number of decisions taken by the Director of Public Health, Director of Adults and Health and Director of Resources. This is due to a reduction in the number of decisions necessary in response to the Covid-19 pandemic.

Effectively Embed: Comparison of Distribution of Significant Operational Decisions Published 19/20, 20/21 v 21/22



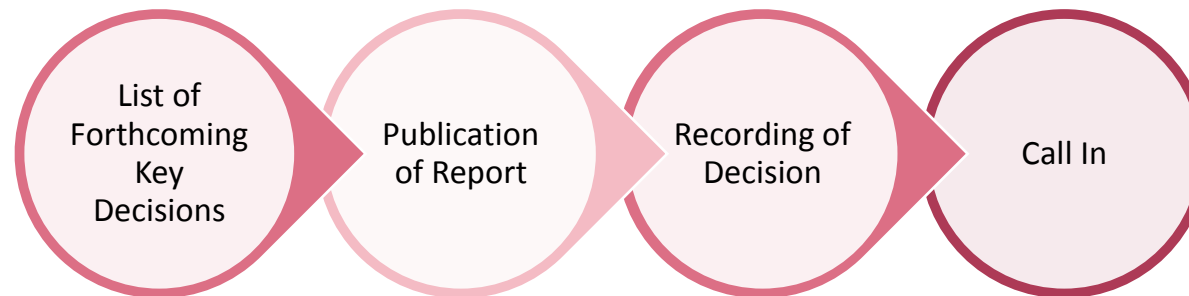
Effectively Embed: Comparison of Key Decisions Published 19/20, 20/21 & 21/22



| Effectively Embed – Table of Comparative Data for Key and Significant Operational Decisions Published Over Three Reporting Periods | | | | | | | | | |
|---|---|------------|------------|-------------------------|------------|------------|---------------------------|-------------|-------------|
| | Significant Operational Decisions published | | | Key Decisions published | | | Total Decisions published | | |
| | 2019/20 | 2020/21 | 2021/22 | 2019/20 | 2020/21 | 2021/22 | 2019/20 | 2020/21 | 2021/22 |
| Chief Executive | 5 | 4 | 4 | 0 | 0 | 0 | 5 | 4 | 4 |
| Director of Resources and Housing | 205 | 177 | 101 | 58 | 65 | 28 | 263 | 242 | 129 |
| City Solicitor | 24 | 10 | 22 | 0 | 0 | 0 | 24 | 10 | 22 |
| Chief Officer Financial Services | 3 | 7 | 0 | 0 | 0 | 0 | 3 | 7 | 0 |
| Director of Communities and Environment | 73 | 106 | 136 | 16 | 16 | 35 | 89 | 122 | 171 |
| Director of City Development | 266 | 250 | 224 | 37 | 36 | 33 | 303 | 286 | 257 |
| Chief Planning Officer | 10 | 4 | 17 | 1 | 1 | 0 | 11 | 5 | 17 |
| Director of Children and Families | 157 | 192 | 202 | 18 | 26 | 18 | 175 | 218 | 220 |
| Programme Director Strengthening Families Protecting Children | 0 | 5 | 6 | 0 | 0 | 1 | 0 | 5 | 7 |
| Director of Adults and Health | 93 | 105 | 70 | 11 | 19 | 14 | 104 | 124 | 84 |
| Director of Public Health | 12 | 46 | 30 | 4 | 7 | 4 | 16 | 53 | 34 |
| Leader of Council | 2 | 7 | 3 | 0 | 0 | 0 | 2 | 7 | 3 |
| Executive Board | 63 | 65 | 52 | 65 | 49 | 51 | 128 | 114 | 103 |
| Total | 913 | 978 | 867 | 210 | 219 | 184 | 1123 | 1197 | 1051 |

Meaningfully Monitor

37. There are a series of established controls in place to support open and transparent decision making in relation to both executive functions. These blend statutory requirements with local arrangements to ensure accountability and democratic oversight.



The List of Forthcoming Key Decisions (LOFKD)

38. This is the mechanism by which publicity is provided in connection with key decisions in accordance with the requirements set out in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. (“The Executive Arrangements Regulations”)
39. In line with requirements the Executive and Decision Making Procedure Rules provide that all potential key decisions must be published to the LOFKD (and a link circulated to all Members) not less than 28 days before the decision is taken unless:
- The decision fits the statutory General Exception (GE) – in which case notice will be published 5 clear days in advance of the decision being taken (and circulated to all Members); or
 - The decision fits the statutory criteria for Special Urgency (SU) – in which case the relevant Scrutiny Chair will be asked to agree that the decision is urgent and cannot be delayed.

41. Reflecting the statutory exemptions, a performance indicator of 95% of all key decisions should be published to the LOFKD not less than 28 clear calendar days before the decision is taken.

During the reporting period 172 of 184 or 93% of all key decisions were included in the LOFKD.

124 of 133 (93%) key decisions taken by officers in the reporting period were included in the LOFKD.

48 of 51 (94%) key decisions taken by Executive Board were included in the LOFKD.

Of the 12 decisions not included in the LOFKD, 6 were treated as a General Exception and 6 as Special Urgency.

42. The target for Key decisions included in the List of Forthcoming Key Decisions was increased from 89% to 95% by Corporate Governance and Audit Committee in June 2020, having considered performance over the preceding four reporting periods, which had not fallen below 95%. Members noted at the time that the Covid-19 pandemic response would increase the number of urgent decisions taken. As anticipated, there was an increased requirement for use of the General Exception and Special Urgency provisions, with the performance indicator showing that only 83% key decisions taken during the 2020/21 reporting period were included on the LOFKD. However, it is noted that there has been considerable improvement in the performance indicator for the current year, and it is considered that the 95% target remains appropriate and achievable and it is not therefore proposed that this should be amended further at this time.

43. Each key decision not included in the LOFKD for the required 28 day period, was taken under the appropriate conditions for either the general exception or special urgency. Reasons for treating each of these decisions as general exception or special urgency have been detailed in quarterly update reports provided to Corporate Governance and Audit Committee.

Publication of Report

44. Publication of a decision report enables both elected Members and the public to see and consider the rationale for a key decision before that decision is taken.

45. There is no statutory requirement to publish reports in relation to officer decisions in advance of those decisions being taken. However, the committee will recall that the Executive and Decision Making Procedure Rules provide for a local (non-statutory) requirement that a report in support of a key decision is published five clear working days before that decision is taken by an officer. In 2018 the rules were amended to allow for the late publication of reports in relation to key decisions with the approval of the relevant Executive Member.

46. Rule 3.1.4 of the Executive and Decision Making Procedure Rules requires an annual report to this Committee giving details of any key decisions taken in accordance with this provision which provides for the late publication of the report supporting an officer decision.

Of 133 key decisions taken by officers in the reporting period 132 (99%) were supported by reports which were published five clear working days in advance of the decision being taken. The relevant Executive member provided consent to the late publication of one report.

Recording of Decision

47. Recording of decisions ensures that those decisions are open and transparent and that the relevant decision maker can be held to account.
48. Regulation 13 of the Executive Arrangements Regulations, and (in relation to non-executive functions) Regulation 7 of the Openness of Local Government Bodies Regulations 2014 require a written record to be published in respect of decisions taken by officers. Arrangements set out in the Executive and Decision Making Procedure Rules, and Access to Information Procedure Rules respectively, require publication of key and significant operational decisions as soon as reasonably practicable after those decisions are taken.

184 key and 867 significant operational decisions were published during the reporting period.

Call In

49. Section 9F of the Local Government Act 2000 requires that executive arrangements by a local authority include the provision for appointment of one or more Overview and Scrutiny Committees with, inter alia, power to review or scrutinise decisions which have been taken by the executive but not yet implemented. These are known as Call In arrangements and are set locally.
50. Part 5 of the Executive and Decision Making Procedure Rules sets out the call in arrangements adopted by Leeds City Council. Rule 5.1.2 sets out details of those decisions which are eligible for call in¹. Rule 5.1.3 provides that eligible decisions may be exempted from call in where the decision is urgent because any delay would seriously prejudice the Council's or the public's interests.
51. A performance indicator has been set with a target of 95% of all eligible decisions to be available for Call In.

During the reporting period 92% of all eligible decisions were available for Call In.

133 of 133 key decisions taken by officers in the reporting period were eligible for call in; of which 11 (8%) were exempted from Call In. A total of 122 (92%) of eligible decisions taken by officers were available for Call In.

95 of 103 decisions (51 key and 52 significant operational decisions) taken by Executive Board in the reporting period were eligible for call in; of which 7 (7%) were exempted from Call In. A total of 88 (93%) of eligible decisions were available for Call In.

52. Again, it was anticipated that given the need to respond quickly to the Covid-19 pandemic, there would be a need to exempt a greater than usual proportion of decisions from Call In. Again, monitoring undertaken during the current year indicates that use of the exemption is returning to pre-pandemic levels.
53. Each eligible decision not available for call in was subject to a decision to exempt it taken by the relevant decision maker. Reasons for exemption have been detailed in quarterly decision making update reports included with the Internal Audit Update reports.

¹ In brief, and subject to limited exceptions – key decisions taken by officers; all decisions taken by Executive Board; and executive decisions taken by the Health and Wellbeing Board.

Decisions Taken Under Urgency Provisions

54. Decisions taken under urgency provisions (general exception or special urgency; short notice reporting; and exemption from call in) are both lawful and constitutional providing they meet the requirements in relation to approvals and notice set out in the relevant Executive and Decision Making Procedure Rule. Having reviewed each of the decisions taken under urgency provisions during the reporting period the Chief Officer Financial Services is satisfied that all decisions have been taken in accordance with the relevant requirements.
55. Regulation 19 of the Executive Arrangements Regulations require that the executive Leader reports to the local authority details of those decisions agreed as urgent in accordance with Regulation 11 (Special Urgency)². This requirement has been satisfied by the provision of regular updates in relation to urgent decision making included within Internal Audit update reports. In summary, of the 6 decisions treated as Special Urgency:
- 2 related to grant payments where a delay in the response could have led to a loss in funding.
 - 3 related to other types of funding, where a delay in response could lead to a reduction in funds or delays in receiving the funding, resulting in delays providing services.
 - 1 related to a Government requirement that all 5 West Yorkshire Councils to agree to the proposal by the deadline.

Use of Call In

56. One decision was subject to Call In proceedings during the reporting period. as detailed in the table below.

| Decision | Subject | Scrutiny Board | Call In Meeting | Outcome |
|--------------------------------------|--|------------------------------------|---------------------------|-----------------------------|
| Minute 25, Executive Board June 2021 | Adults & Health service review 6 -care delivery: care homes, post consultation recommendations report. | Adults, Health & Active Lifestyles | 9 th July 2021 | Released for implementation |

Decisions Not Treated as Key

57. Regulation 18 of the Executive Arrangements Regulations requires that a relevant Scrutiny committee may require the executive to report to Council if a key decision has not been treated as key.

During the reporting period 0 decisions have been referred to a Scrutiny Board as wrongly treated.

² As the Committee charged with reviewing the adequacy of the Council's Corporate Governance arrangements (including matters such as internal control and risk management), Corporate Governance and Audit Committee receives this information within the reporting of arrangements for the control of decision making.

Comparative Data

58. The following table sets out comparative data for the last three reporting periods in relation to each of the relevant controls in relation to executive decision making.

| Reporting Period | Target | 2019/20 | 2020/21 | 2021/22 |
|---|--------|------------------|---------|---------|
| Number of key decisions on LOFKD | | 208 | 181 | 172 |
| Percentage key decisions on LOFKD | 95% | 98% | 83% | 93% |
| Number of key decisions taken under general exception | | 1 | 13 | 6 |
| Number of key decisions taken under special urgency | | 2 | 25 | 6 |
| Percentage reports for officer decisions published in time | | 98% ³ | 99% | 99% |
| Number of executive decisions eligible for call in | | 268 | 282 | 228 |
| Number of executive decisions available for call in | | 257 | 235 | 210 |
| Percentage eligible executive decisions available for call in | 95% | 96% | 83% | 92% |
| Number of executive decisions called in | | 0 | 4 | 1 |
| Decisions released for implementation following call in | | NA | 4 | 1 |
| Recommendations made following call in | | NA | 0 | 0 |

³ Figure not including reports published late due to administrative error.

Decision making by Committees

Publication of Agendas

60. Section 100B of the Local Government Act 1972 in respect of meetings of the Council and its committees, and Regulation 7 of the Executive Arrangements Regulations in respect of meetings of Executive board and its committees, require that reports are published alongside the agenda for five clear days before relevant business is considered by a meeting of the committee.
61. A performance indicator has been set with a target of 99% of agendas to be issued and published within the five day statutory deadline set out above. This target reflects the council's minimal use of the short notice provisions referred to above.

161 of 162 (99%) agendas were published five clear working days in advance of the meeting.

Publication of Minutes

62. Schedule 12 Local Government Act 1972 requires that minutes of the proceedings of a meeting of a local authority must be prepared and signed at the same or next suitable meeting of the authority by the person presiding at the meeting. Section 100C of the Act requires that minutes are available for inspection for a period of six years following the meeting, although there is no statutory provision as to the time period for the publication of Committee minutes. Regulation 12 of the Executive Arrangements Regulations requires that notice of executive decisions made at meetings of decision making bodies is published as soon as reasonably practicable after the meeting takes place.
63. In order to make decisions of Leeds City Council and its executive accessible and transparent a local target has been established of 90% of draft minutes to be published on the Council's internet site within ten working days.

188 of 196 (96%) minutes were published within ten clear working days of the meeting.

64. In addition, the Executive and Decision Making Procedure Rules require that minutes for all meetings of Executive Board are published within two working days of the meeting. This permits prompt availability of Executive Board decisions for call-in and minimises the delay to implementation necessary to allow for the call-in process.

10 of 10 (100%) Executive Board minutes were published within two working days of the meeting.

Review and Refine

Adequacy and Resilience of Internal Controls

66. The documents, systems and processes which together form the Council's decision making framework have been under continuous review during the course of this reporting period.
67. A new sample testing regime has been established to examine the adequacy of reporting in relation to key and significant operational officer decisions. The testing strategy developed supports consideration of:
- categorisation of decisions - to ensure that they are subject to appropriate controls
 - authority – to ensure that decisions are taken by authorised officers under relevant delegations from accountable directors
 - transparency – to ensure that any restriction of access to information is appropriately recorded
 - supporting information – to ensure that report templates are correctly completed and information provided to support the decision taken (including aims and objectives, impact, alternative options, consultation and engagement, legal and resource implications, risks, and how the decision supports the Council's strategic pillars.)
68. Monthly review meetings are held to discuss the decisions sampled, if these meetings reveal any concerns with the quality of decision making those concerns will be escalated appropriately through directorate leadership teams.

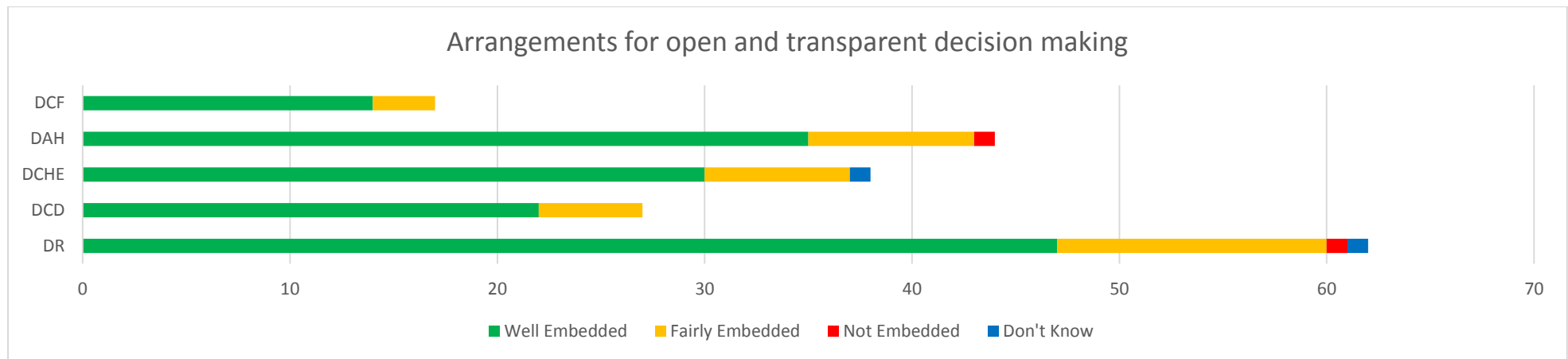
Benchmarking

69. Having undertaken a benchmarking exercise in the Spring of 2021⁴, which indicated that arrangements in Leeds are broadly in line with comparable authorities no further benchmarking has been undertaken during the current reporting period.
70. Given that the majority of decisions taken under urgency procedures related to the receipt of income from grants and other sources, we will undertake benchmarking in the coming year to assess whether our arrangements are sufficiently agile and responsive in this regard.

⁴ Reported in the decision making statement of internal control for 2020/21

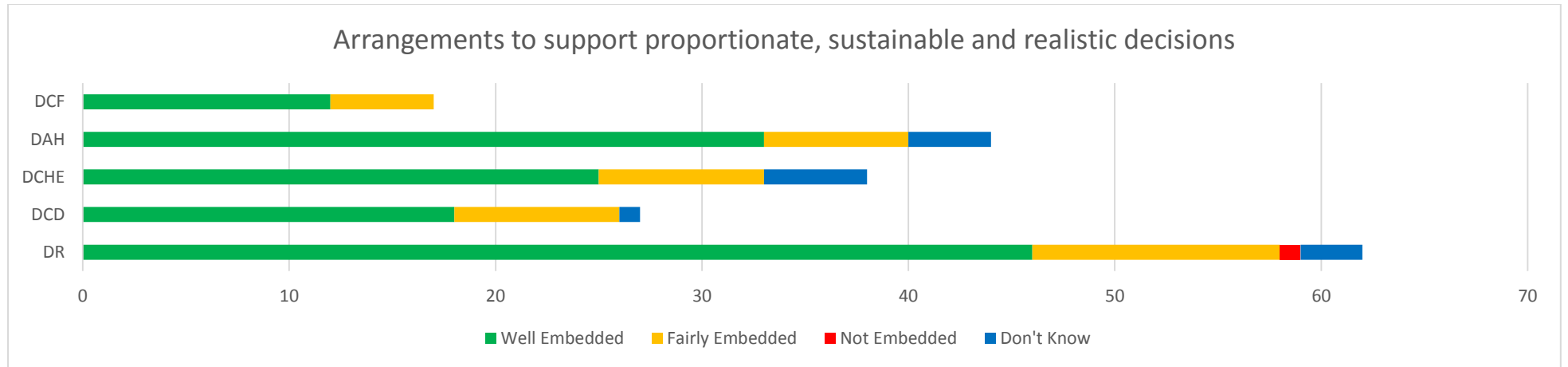
Survey of Internal Control

- 71. The Survey of Internal Control⁵ has again been conducted to provide first line assurance in relation to all key systems of internal control by seeking an assessment from operational managers as to how the arrangements underpinning the Local Code of Corporate Governance Code are embedded on the ground.
- 72. The survey received 188 responses spread across all five directorates and asked whether, in the view of respondents, controls are embedded and applied in their service. Respondents were invited to identify any weaknesses in the governance arrangements, and how those could be improved.
- 73. Responses are set out in the graphs below for the questions relating to the decision making framework as they relate to relevant principles of the Local Code of Corporate Governance.
- 74. In relation to Principle 2, Ensuring Openness and Engagement, the survey asked about arrangements for the open and transparent decision making including arrangements for the consideration of exempt and confidential information); publication of key decisions to the List of Forthcoming Key Decisions; publication of Reports in advance of key decisions; recording of key and significant operational decisions, and availability of decisions for call in.

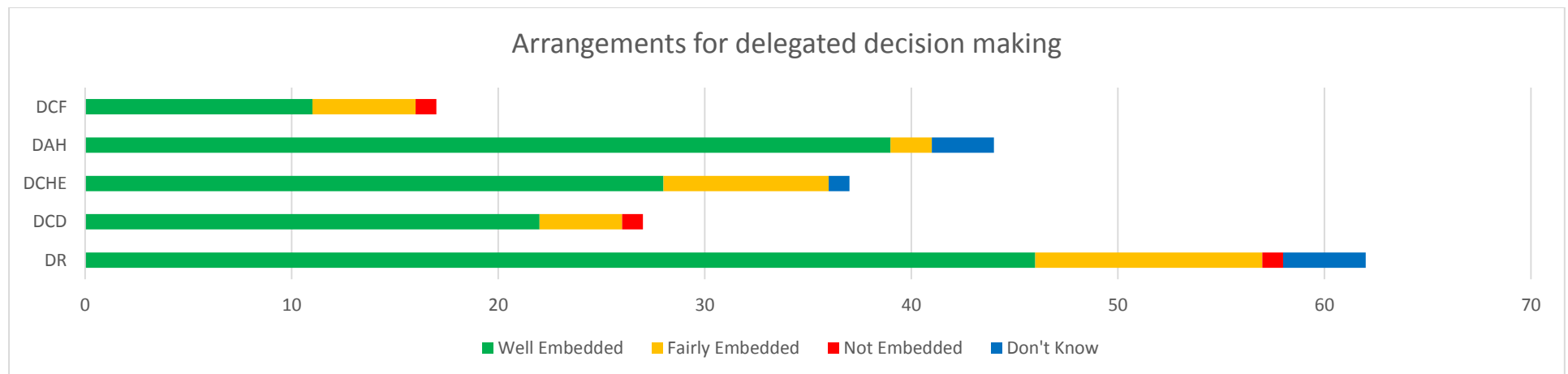


⁵ A smart survey conducted amongst senior officers to support the review of internal control underpinning the Council's Annual Governance Statement

75. In relation to Principle 4, Determining effective interventions, the survey asked about arrangements to support proportionate, sustainable and realistic decisions including the principles of decision making (set out in Article 13 of the Constitution); and report writing templates and guidance.



76. In relation to Principle 6, Developing Capacity, the survey asked about arrangements for delegated decision making including: The Protocol on Member Officer Relations and Protocol for the Role of Members and Officers in Decision Making; Officer delegation scheme and the Director’s Sub-delegation Scheme; internal governance arrangements within the directorate (boards, panels & other forum that control and influence service delivery although not formal decision making bodies); arrangements for briefing / consulting relevant elected Members (ward Members, portfolio holders etc.) as necessary and appropriate and; and arrangements for the referral of appropriate matters to Executive Board



77. Overall results (set out below) show that arrangements are substantially embedded with less than 10% of respondents indicating that arrangements are not embedded or that they do not know in each case.:

| <u>Controls</u> | Well Embedded | Fairly Embedded | Not Embedded | Don't know |
|---|---------------|-----------------|--------------|------------|
| <u>Arrangements for open and transparent decision making</u> | 148 | 36 | 2 | 2 |
| | <u>79%</u> | <u>19%</u> | <u>1%</u> | <u>1%</u> |
| <u>Arrangements to support proportionate, sustainable and realistic decisions</u> | 134 | 40 | 1 | 13 |
| | <u>71%</u> | <u>21%</u> | <u>1%</u> | <u>7%</u> |
| <u>Arrangements for delegated decision making</u> | 146 | 30 | 3 | 8 |
| | <u>78%</u> | <u>16%</u> | <u>2%</u> | <u>4%</u> |

Learning from the survey

78. The comments made by survey respondents fall into two broad categories:

Complexity of arrangements

confusing and overly bureaucratic

79. The review of decision making thresholds which took place in 2019 sought to simplify arrangements by reducing the number of thresholds, whilst continuing to meet the demands of relevant legislation, and the requirements of Members in order to ensure effective operation of the democratic mandate.

80. Internal Audit and Corporate Governance officers are seeking to ensure that those involved in significant transformation programmes are able to seek advice and guidance during the course of delivery to ensure that the programme complies with the regulatory framework in an efficient and effective way.

81. Similarly, partnership working takes place between colleagues with governance and procurement expertise and those working in services to identify compliant solutions to perceived and identified issues with the control environment to ensure that decisions are compliant with the framework of statutory and local requirements, and yet efficient and effective, in order that services are delivered to the citizens and communities of Leeds in line with the council's strategic ambition.

the speed of transformation is increasing, and officers need to ensure that governance and control does not diminish as a result

Advice and Guidance

We are well supported by Directorate Support, Governance and Legal in these matters, so when advice is needed, it is received

82. It is recognised that there is an ongoing need to provide training and support, especially given significant recent staffing changes with many people having new responsibilities with associated learning needs. The information set out above in the Clearly Communicate section of this statement shows how this is delivered.

83. Ongoing consideration is given to the availability of advice, guidance and training to ensure that all officers are supported appropriately to their roles and responsibilities. It is pleasing therefore to note that the advice and support available from a range of disciplines is recognised.

84. Those same disciplines seek to work with services across the council to understand the

requirements of the service in order that decision making can be undertaken in a timely, efficient and effective way, whilst maintaining compliance with the regulatory environment, and providing transparency and accountability through the arrangements as implemented.

the governance requires a large resource commitment which seems disproportionate and cumbersome

Statement of Assurance

85. Having undertaken the review of the system of internal control for Decision Making outlined in this statement the Chief Officer Financial Services is satisfied that the arrangements are up to date and fit for purpose, that they are communicated and embedded and that they are routinely complied with.
86. The Chief Officer Financial Services has identified the following opportunities for enhancement of the system of internal control for decision making and will implement these over the course of the 2021/22 municipal year.

Opportunities for improvement

| | |
|-----------------------------|--|
| Define and Document | We will complete the review of the Protocol on the roles of Members and officers in decision making. |
| Clearly Communicate | We will review the training provided in the light of feedback and seek to embed within the council's development offer for leaders and managers. We will continue to develop bite-size online learning content to support officers in their decision making activity. |
| Effectively Embed | We will continue to work in partnership with officers in the procurement and commercial service, internal audit, and in services to ensure that decisions are taken in a way which is compliant yet agile and responsive to the demands of the service. |
| Meaningfully Monitor | We will embed arrangements for the sample testing of key and significant operational decisions taken by officers. |
| Review and Refine | We will review arrangements for decisions in relation to the receipt of income. |