



Draft

Annual Report to Full Council

**Standards and Conduct
Committee**

2023/24

1. INTRODUCTION

This is the Annual Report to Full Council relating to matters within the Standards and Conduct Committee's Terms of Reference. Council Procedure Rule 2.2 (f) stipulates that an Annual Report of the Standards and Conduct Committee must be referred to Full Council for consideration; this being to support the duty of the Authority to promote and maintain high standards of conducts by Members and co-opted Members of the Council.

2. TERMS OF REFERENCE

The Terms of Reference for the Standards and Conduct Committee are reviewed each year to ensure they represent current regulations.

The functions of the Standards and Conduct Committee are:

- To promote and maintain high standards of conduct by members and co-opted members of the authority.
- To advise the authority in relation to the adoption, revision or replacement of the code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.
- To consider and determine written allegations that a member or co-opted member of the authority has failed to comply with the authority's code of conduct, or that a member or co-opted member of a parish council in the Leeds area has failed to comply with the parish council's code of conduct.
- Following a determination of whether or not a member or co-opted member of the authority has failed to comply with the code of conduct, to consider whether or not action might be necessary, and to make recommendations on the form of action.
- To advise the authority in relation to the adoption, revision or replacement of the code dealing with the conduct that is expected of employees of the authority.

3. COMMITTEE INFORMATION

Committee Membership

Councillor Paul Alderson

Councillor Ryk Downes

Councillor Jane Dowson Chair

Councillor Bob Gettings JP

Councillor Pauleen Grahame

Councillor Andrew Scopes

Councillor Mark Swards

Councillor Ryan Stephenson

Councillor Debbie Potter - Parish and Town Council representative

Gordon Tollefson - Independent Person

Claire McManus – Independent Person

4. Key Issues

Councillor Code of Conduct

Following review by the Monitoring Officer, no amendments have been proposed to the adopted Councillor Code of Conduct following the last amendments made in May 2022.

Complaint Procedure

It remains important that the focus of the complaints process is on matters that are serious, such as corruption, bullying and misuse of power in public office.

The provisional outcome of an assessment of a complaint continues to be shared with one of the Independent Persons for their view in advance of that assessment being concluded and communicated to the complainant and subject Member.

This process provides rigour and independence to the complaints process. Following changes made to the procedure in 2022 and [2023](#) and consideration of the procedure in practice, no further amendments have been proposed to the complaint procedure by the Monitoring Officer.

Training and Advice

The Committee on Standards in Public Life has stressed that training for Members should not be simply compliance focused but should also set out the rationale for high standards in public life and be scenario based so that Councillors can engage with concrete examples and see the relevance of standards to different areas of activity in which they might be involved.

Following the local elections in May 2023 the Monitoring Officer arranged training for all newly elected Members. These sessions were delivered by a leading independent figure in the field of local authority standards and conduct.

This impartial and bespoke approach has been developed over the last three years and provides Members with access to the very latest case-studies and thinking whilst also being couched, and delivered, within the direct reference to, and context of, Leeds' local ethical framework arrangements.

Advice and training have also been provided to Members on request on a 1:1 basis in relation to specific issues that have emerged during the year; including:

- Registration and declaration of interests.
- Bias and Predetermination.
- Conflicts of Interests.

The guidance for Members on engagement with social media has also been reviewed and updated by the Monitoring Officer during the year with the amended guidance circulated to all Members in the Autumn of 2023.

Register of Interests

The Monitoring Officer has supported members of the authority (and of Parish and Town Councils) in meeting their obligations to notify any disclosable pecuniary interest within 28 days of a change in the circumstance relating to such interests.

In addition, regular reminders have been issued to elected Members to review their register of interests. Whilst some reminders have been general in nature, others have provided focused advice with including on the need to register spousal interests; interests arising from employment, office, trade, profession or vocation; dual hatted interests; and the provisions regarding sensitive Interests. Reminders have also been sent concerning the need to register gifts and hospitality.

Sensitive Interests

Section 32 (2) of the Localism Act 2011 allows for interests which are considered to be sensitive to be withheld from a Member's Register of Interests. The decision as to whether to withhold such an interest from the public register is made by the Monitoring Officer.

Permission to withhold an interest is granted in cases where disclosure of the details of an interest could lead to a member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation – it is particularly relevant that that threat or potential threat would be substantially contributed to because of those interests appearing on the members' public register.

In response to concerns raised by a large number of Elected Members about instances of harassment, intimidation and vulnerability, which were particularly intensified following the murders of both Jo Cox and Sir David Amess we are grateful to the Monitoring Officer who took the step of withholding¹ details of Members' home addresses from the register of interests accessible by the public.

Instances of harassment and intimidation unfortunately continue and reinforce the steps taken by the Monitoring Officer and which are supported by both the recommendation made by the Committee on Standards in Public Life² and approaches adopted in other local authorities.

Dispensations

No alterations have been made to the Standards and Conduct Committee's conclusions regarding local dispensations regarding councillor's involvement in decision making where they have a Disclosable Pecuniary Interest (DPI). Members will recall that the circumstances where a member of the public has rights to attend and make representations – for example, in relation to a personal planning application - the committee's view remains that this limitation placed an unjust discrimination upon councillors.

The other active dispensations, granted to all Members, permits members to attend and vote in matters relating to:

- Any office held within Leeds City Council for which they receive a taxable income; and

¹ Subject to Members having the option of having these details reinstated at their request

² The Government agrees with the principle behind this recommendation – which safeguards elected representatives - and considers amending the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 would be an option to achieve it. The Government has undertaken to engage with interested parties on the best means to ensure that candidates and councillors are not required publicly to disclose their home address. Notwithstanding, it is important that home addresses are internally registered with monitoring officers, to help avoid conflicts of interest.

- Any office held outside Leeds City Council (to which they have been appointed by Leeds City Council) for which they receive a taxable income.

Subject to any legislative or policy change, and in consultation with the Chair of this Committee the Chief Executive will be invited to grant dispensations in similar terms following each local election, for a period reflecting the term of office of successful candidates.

Complaint handling

Complaints must be submitted in writing, must provide information to substantiate the claims made, and should outline what form of resolution the complainant is seeking.

We are grateful to the Monitoring Officer and her staff who assess complaints and liaise with complainants, subject members and the Independent Persons.

Complaints relating to Leeds City Councillors

Last year 9 complaints had been received in respect of Leeds City Council Members. During the Municipal Year to date there have been 5 complaints received against Leeds City Councillors. All that been assessed as being invalid.

Complaints relating to Parish and Town Councillors in Leeds

In relation to Parish and Town Councillors, last year 7 complaints, were received. This year 1 complaint has been received and was assessed as invalid.

Referrals to West Yorkshire Police

Complaints which relate to an alleged failure to comply with the rules regarding 'Disclosable Pecuniary Interests' are matters for West Yorkshire Police to consider - no complaints of this nature have been received this year by Police.

General Inquiries

In addition to the formal complaints received, assessed and reported on above - in the year to date 12 General Inquiries were made through the councillorconduct@leeds.gov.uk email address (12 last year).

Each was responded to by providing a complaint form and details of the Code of Conduct Complaints process and, depending on the circumstances, support in resolving the concern through the whip or group office. Two complaints were subsequently submitted.

Operation of the Complaints Process

The provisional outcome of Assessment is shared with the Independent Person for their view in advance of that Assessment being concluded and communicated to the Complainant and Subject Member.

That process has again worked extremely well during and adds rigour and independence to the complaints process. It remains important that the focus of the complaints process is on matters that are serious, such as corruption, bullying and misuse of power in public office.

Supporting Members of Parish and Town Councils

There are 32 Parish and Town Councils with 303 Councillors within the District of Leeds. Parish and Town Councils continue with the greater responsibilities under the Localism Act 2011 for making their own standards arrangements.

These responsibilities include:

- promoting and maintaining high standards of conduct by their own Members;
- formally adopting a Code of Conduct that is consistent with the requirements of the Localism Act and publicising that adoption;
- completing a register of disclosable pecuniary interests and ensuring that information about this register is available on the Parish or Town Council's own website (if it has one);
- putting in place arrangements for Members to apply for and be granted a dispensation; and
- ensuring that arrangements are in place for the Parish or Town Council to consider any complaints referred to it by Leeds City Council and to decide on any appropriate action against the subject Member.

Under the previous standards and conduct legislation many of these responsibilities were carried out by the Monitoring Officer/Standards Committee on behalf of Parish and Town Councils.

The Monitoring Officer of Leeds City Council has a responsibility to collate the registers of interest completed by parish and town councillors in Leeds and to publish these on the council's website. This was a substantial task following the all-out Parish and Town Council elections (in May 2023) but was completed within 28 days.

Liaison meetings have commenced during the year with the Yorkshire Local Councils Association. The Association has knowledge of the parish sector across Yorkshire that is helpful to principal authorities.

Potential engagement activity in the new Municipal year includes:

- Training sessions for councillors to learn about parish sector authorities – including the key functions of parishes, what they are, what they can do, their administration and the legislation set down for them to work within.
- Potential access to certain parts of the YLCA website, which has a wealth of information about the parish sector.

Independent Person

By way of this report, the Committee wishes to extend thanks to both Mr Tollefson and Ms McManus for their service this year.

Members are also asked to note that that, following consultation with the Leader, Executive Members, Chair of the Standards & Conduct Committee and the Leader of the Opposition, Mr Tollefson's term of office has been extended to July 2026.

Monitoring Officer Assurance

The committee, via this report is also able to report to Council that the Monitoring Officer also confirmed that she is satisfied that the Authority continues to meet its statutory obligations relating to standards and conduct and that she has adequate resources to fulfil her statutory duties.