



STANDARDS COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 16th October, 2008 at 2.00 pm

MEMBERSHIP

Independent Members

Mike Wilkinson (Chair)	(Independent Member)
Rosemary Greaves	(Independent Member)
Philip Turnpenny	(Independent Member)

Councillors

D Blackburn
C Campbell
JL Carter
J Elliott
E Nash

Parish Members

Councillor Mrs P Walker	Pool in Wharfedale Parish Council
Councillor John C Priestley	East Keswick Parish Council

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct</p>	
5			<p>MINUTES OF THE PREVIOUS MEETINGS</p> <p>To approve the minutes of the Standards Committee meetings held on the 1st July 2008 and 14th July 2008 and to consider any matters arising.</p>	1 - 10
6			<p>MINUTES OF THE CORPORATE GOVERNANCE AND AUDIT COMMITTEE</p> <p>To note the minutes of the Corporate Governance and Audit Committee meetings held on 18th June 2008 and 30th June 2008.</p>	11 - 22
7			<p>PARISH AND TOWN COUNCIL TRAINING</p> <p>To consider a report of the Head of Scrutiny and Member Development outlining the results of a review of training provision, and containing proposals for further training for Parish and Town Councillors in Leeds.</p>	23 - 36
8			<p>PARISH AND TOWN COUNCIL ANNUAL AUDIT 2007</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) outlining the results of the Parish Council Annual Audit and proposals for addressing these results.</p>	37 - 46

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>ETHICAL FRAMEWORK TRAINING AND AWARENESS PROGRAMME FOR OFFICERS</p> <p>To consider a report of the Chief Officer (Human Resources) outlining the steps that have been taken to implement the Ethical Framework Training and Awareness Programme proposed in December 2007.</p>	47 - 58
10			<p>ETHICAL AUDIT 2007: RESULTS AND PROPOSALS FOR ACTION</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) outlining the results of the Ethical Audit 2007, and proposals for action to address those results.</p>	59 - 76
11			<p>STANDARDS BOARD FOR ENGLAND ANNUAL REVIEW 2007-08</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) outlining the contents of the Standards Board for England Annual Review 2007-08.</p>	77 - 82
12			<p>COMPLAINTS REFERRED TO THE STANDARDS BOARD FOR ENGLAND FROM 1ST OCTOBER 2007 TO 9TH MAY 2008</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) detailing the number of complaints referred to the Standards Board for England in relation to Members of Leeds City Council and local Parish or Town Councillors within the area, and the outcome of those complaints.</p>	83 - 96
13			<p>STANDARDS COMMITTEE COMMUNICATIONS PLAN</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) reviewing the Standards Committee Communications Plan and including any proposals for amendment.</p>	97 - 110

Item No	Ward/Equal Opportunities	Item Not Open		Page No
14			<p>LOCAL GOVERNMENT CHRONICLE AWARD ENTRY</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) detailing the entry submitted on behalf of the authority to be considered for the Standards and Ethics Award category in 2009.</p>	111 - 122
15			<p>STANDARDS COMMITTEE WORK PROGRAMME</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) outlining the contents of the work programme for the rest of the 2008/09 municipal year.</p>	123 - 128

This page is intentionally left blank

Standards Committee

Tuesday, 1st July, 2008

PRESENT:

Independent Members

Mike Wilkinson (Chair) (Independent Member)
Rosemary Greaves (Independent Member)

Councillors

D Blackburn J L Carter E Nash
C Campbell J Elliott

Parish Members

Councillor Mrs P Walker Pool in Wharfedale Parish Council
Councillor John C East Keswick Parish Council
Priestley

APOLOGIES:

Philip Turnpenny (Independent Member)

1 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

2 Exempt Information - Possible Exclusion of the Press and Public

The Standards Committee identified Item 9 of the agenda (minute 9 refers) as containing appendices which officers had identified as containing exempt information, and where officers considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, for the reasons outlined in the report. The Standards Committee decided to accept the officers recommendation in respect of the above information.

RESOLVED - That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-

The final report of the Investigating Officer and the bundle of evidence in relation to a local investigation into a complaint against a Member classified as exempt under Access to Information Procedure Rule 10.4 (1, 2 and 7c) as the report makes reference to the personal health situation of the Councillor, and contains the opinion of the investigating officer, which, if the report were made public, would be disclosed prior to the Committee having had the opportunity to discuss that opinion and forming their own view of it.

3 Late items

There were no late items submitted to the agenda by the Chair for consideration.

4 Declaration of interests

There were no declarations of personal/prejudicial interests for the purpose of section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.

5 Minutes of the previous meeting

The minutes of the Standards Committee meeting on 14th April 2008 were approved as a correct record.

6 Minutes of the Corporate Governance and Audit Committee

The minutes of the Corporate Governance and Audit Committee meetings on 19th March 2008, 23rd April 2008 and 14th May 2008 were received and noted.

7 Complaints to the Local Government Ombudsman

The Corporate Customer Relations Manager presented a report of the Chief Officer (Customer Services) outlining the new remit of the Local Government Ombudsman, and potential revised working arrangements between the Ombudsman and the Standards Committee and Monitoring Officer.

It was outlined that certain activities of the Standards Committee and the Monitoring Officer now fall within the jurisdiction of the Ombudsman as they will be carrying out administrative procedures on behalf of the Council. It was also indicated that the Ombudsman may contact the Standards Committee or the Monitoring Officer about any cases which may affect them. However, there was unlikely to be a large amount of contact with the Ombudsman, as they were only likely to become involved with the Standards Committee when investigating possible injustice through maladministration.

RESOLVED – Members of the Standards Committee resolved to note the provisions of the Local Government and Public Involvement in Health Act 2007 and the potential implications this may have.

8 Politically Restricted Posts

The Human Resources Manager presented a report of the Chief Officer (Human Resources) outlining the current situation in relation to politically restricted posts in Leeds, and the implications and initial proposals for the Standards Committee (subject to final regulations being published).

It was outlined that this would require an amendment to the Standards Committee Terms of Reference once regulations were released.

During the discussion, Members made the following points:

- That there needed to be a clear definition of a 'council employee';
- That the status of employees working for companies wholly owned by the Council needed to be made clear. ALMOs and Education Leeds were particularly mentioned. The Human Resources Manager agreed to come back to the Committee with this information in due course;
- That the list of politically restricted posts needed to be kept up to date at all times; and
- That a briefing note may be required to employees on this subject and the Committee's new role.

RESOLVED – Members of the Committee resolved to note the information in the report, and to request a further report in due course (once regulations have been released).

9 LOCAL INVESTIGATION INTO A COMPLAINT AGAINST A MEMBER Reference SBE 19277.07

The Chief Officer (Legal, Licensing and Registration) presented a report detailing his findings on completing an investigation into a Parish Councillor in respect of an allegation of misconduct. The investigation followed the submission of a complaint to the Standards Board for England which was subsequently referred back to the authority.

The report was designated as exempt under Access to Information Procedure Rule 10.4 (1, 2 and 7c).

Members of the Standards Committee decided to defer their consideration of this matter until the Investigating Officer could obtain copies of the minutes from the relevant Parish Council to see if they provided any assistance.

RESOLVED – Members of the Committee resolved to:

- Defer their consideration of the matter until the Investigating Officer could obtain copies of the minutes from the relevant Parish Council ; and
- Convene an additional meeting as soon as possible to consider the final report afresh in light of any additional information arising from the minutes.

10 Process for the receipt, referral and management of allegations of misconduct

The Assistant Chief Executive (Corporate Governance) submitted a report outlining the proposed final arrangements for receiving and logging allegations, and for informing the public of the new process.

During the discussion, Members made the following points:

- It was outlined that Arthington Parish Council had queried the accuracy of the draft guidance leaflet on making complaints, particularly in respect of the types of behaviour covered by the Code of Conduct. It was agreed that officers would contact Arthington Parish Council about their concerns;
- That information regarding the types of complaints that won't be considered by the Standards Committee should be made clearer; and
- That officers should ensure the widest possible access to the statutory notice which is required by regulations. It was reported that the Standards Committee could also produce a press release in a few months time giving details of the new system for local newspapers to use.

RESOLVED – Members of the Standards Committee resolved to approve the proposed arrangements for advertising the new complaints process, and for receiving and logging allegations of misconduct against Members.

11 Final proposals for the local assessment arrangements

The Assistant Chief Executive (Corporate Governance) submitted a report outlining final proposals for the Standards Committee's new role in determining allegations of misconduct, including proposed amendments to the Constitution and revised arrangements for the operation of the Committee.

It was outlined that since the agenda was finalised, officers had found that the Adjudication Panel for England appeal form (included in the Standards Committee Procedure Rules at Annex J), had been amended. It was proposed that the Standards Committee remove Annex J from their Procedure Rules, and instead direct Councillors to the Adjudication Panel website should they wish to appeal against a finding of the Standards Committee.

During the discussion, Members made the following points:

- That the report author should be thanked for the report and the clarity of the presentation;
- That it would be sensible to review the new process after three months; and
- Members felt that it would be appropriate to increase the parish membership of the Committee by one to avoid the risk of a meeting being inquorate, and that the Standards Committee would review its size and membership by the end of the calendar year.

RESOLVED – Members of the Standards Committee resolved to:

- appoint the Assessment Sub-Committee with membership as set out in paragraph 3.6 of the report;
- approve the terms of reference for the Assessment Sub-Committee as shown in Appendix 2 to the report;
- appoint the Review Sub-Committee with membership as set out in paragraph 3.14 of the report;
- approve the terms of reference for the Review Sub-Committee as shown in Appendix 3 to the report;
- formally dissolve the Town and Parish Council Hearings Sub-Committee, as proposed in paragraph 3.20;
- approve the amended Standards Committee Procedure Rules as shown in Appendix 4 to the report, with the removal of Annex J;
- agree that the Monitoring Officer will advise the subject Member of the complaint unless it is not in the public interest;
- agree that the Monitoring Officer or other nominated officer will prepare a short summary of each complaint for the Assessment Sub-Committee;
- agree the proposed assessment criteria as shown in Appendix 5 of this report; agree a set of criteria for deciding whether complaints should be considered anonymously, as proposed in paragraphs 3.41;
- agree that a review of the operation of the new Standards Committee Procedure Rules be undertaken after 3 months; and
- agree to recommend that the Full Council increase the parish membership of the Committee by one to avoid the risk of a meeting being inquorate.

12 Members Induction Period 2008

The Assistant Chief Executive (Corporate Governance) submitted a report regarding new Members' declaration of acceptance of office, Register of Members' Interests, and training for Members during the induction period.

RESOLVED – Members of the Standards Committee resolved to note the report.

13 Review of the Members' Register of Interests and Gifts and Hospitality

The Assistant Chief Executive (Corporate Governance) submitted a report outlining the results of the review of the Members' Register of Interests and Gifts and Hospitality for the municipal year 2007/08.

RESOLVED – Members of the Standards Committee resolved to note the report.

14 Adjudication Panel for England: Decisions of Case Tribunals

The Assistant Chief Executive (Corporate Governance) submitted a report detailing recent decisions made by the Adjudication Panel's Case Tribunals in respect of allegations of misconduct.

RESOLVED – Members of the Standards Committee resolved to note the latest decisions of the Adjudication Panel.

15 Standards Committee Work Programme

RESOLVED – Members of the Standards Committee resolved to note the updated work programme.

Standards Committee

Monday, 14th July, 2008

PRESENT:

Independent Members

Mike Wilkinson (Chair) (Independent Member)

Councillors

D Blackburn J Elliott
C Campbell E Nash

Parish Members

Councillor Mrs P Walker Pool in Wharfedale Parish Council
Councillor John C East Keswick Parish Council
Priestley

APOLOGIES:

Rosemary Greaves, Philip Turnpenny and J L Carter

16 **Appeals against refusal of inspection of documents**

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

17 **Exempt Information - Possible Exclusion of the Press and Public**

The Standards Committee identified Item 5 of the agenda (minute 20 refers) as containing appendices which officers had identified as containing exempt information, and where officers considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, for the reasons outlined in the report. The Standards Committee decided to accept the officers recommendation in respect of the above information.

RESOLVED - That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-

The final report of the Investigating Officer and the bundle of evidence in relation to a local investigation into a complaint against a Member classified as exempt under Access to Information Procedure Rule 10.4 (1, 2 and 7c) as the report makes reference to the personal health situation of the Councillor, and contains the opinion of the investigating officer, which, if the report were made public, would be disclosed prior to the Committee having had the opportunity to discuss that opinion and forming their own view of it.

18 Late items

There were no late items admitted to the agenda by the Chair for consideration.

19 Declaration of interests

There were no declarations of personal/prejudicial interests for the purpose of section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.

20 Local Investigation into a Complaint against a Member Reference SBE 19277.07

The Chief Officer (Legal, Licensing and Registration) presented a report detailing his findings on completing an investigation into a Parish Councillor in respect of an allegation of misconduct. The investigation followed the submission of a complaint to the Standards Board for England which was subsequently referred back to the authority.

The investigating officer highlighted an error at page 35 of the agenda pack, which stated that the Councillor had resigned from office on 2nd July 2007. The investigating officer confirmed to the Committee that the Councillor had actually resigned on 2nd July 2008, and therefore was in office at the time of the alleged incident. A corrected copy of the relevant witness statement was circulated at the meeting.

The report was designated as exempt under Access to Information Procedure Rule 10.4 (1, 2 and 7c).

Members of the Standards Committee had previously decided to defer their consideration of this matter until the Investigating Officer could obtain copies of the minutes from the relevant Parish Council to see if they provided any assistance. In light of the additional information Members discussed their views regarding whether the former Councillor was acting in his official capacity at the time of the incident.

Members of the Committee also discussed whether the minutes of meetings needed to be more explicit and detailed, especially when a resolution is made. It was agreed that the Committee would revisit this issue after consideration of the first local complaints.

RESOLVED – Members of the Standards Committee resolved to accept the investigating officer’s finding of no failure.

This page is intentionally left blank

Agenda Item 6

Corporate Governance and Audit Committee

Wednesday, 18th June, 2008

PRESENT: Councillor J Bale in the Chair

Councillors D Blackburn, G Driver, J Elliott,
P Grahame, G Latty, N Taggart and
C Campbell

Co-optee Mr M Wilkinson

1 Chair's Opening Remarks

The Chair welcomed all in attendance to the first Corporate Governance and Audit Committee meeting of the new municipal year, and invited everyone present to introduce themselves.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

4 Late Items

There were no late items of business, however, a revised version of the report entitled, 'Leeds City Council Programme and Project Management Arrangements' was circulated prior to the meeting for consideration at agenda item 10 (Minute No. 11 refers).

5 Declaration of Interests

No declarations of interest were made at the meeting.

6 Apologies for Absence

Apologies for absence from the meeting were received on behalf of Councillors Iqbal and Kirkland.

7 Minutes of the Previous Meeting

RESOLVED – That the minutes of the Corporate Governance and Audit Committee meeting held on the 14th May 2008 be approved as a correct record, subject to Mr M Wilkinson's apologies for absence being added to Minute No. 119.

(Councillor N Taggart arrived at 10.15 a.m., during the consideration of this item)

8 Standards Committee Minutes

The Committee was updated on several issues detailed within the minutes of the meeting held on 14th April 2008, particularly in relation to the appointment of a new independent member to the Standards Committee and the results of the consultation exercise on the addition of local provisions to the Members' Code of Conduct.

RESOLVED – That the minutes of the Standards Committee meeting held on 14th April 2008 be noted.

9 Corporate Governance and Audit Committee Terms of Reference

The Committee received a report of the Assistant Chief Executive (Corporate Governance) inviting Members to note the revised Terms of Reference for the Corporate Governance and Audit Committee, which were approved by full Council at its annual meeting on 22nd May 2008.

Members noted that the key revision to the terms of reference was that the Committee could no longer consider proposals to amend the Constitution and make recommendations on such matters to full Council, as this was now a function of the newly established Constitutional Proposals Committee.

RESOLVED – That the revised Terms of Reference for the Corporate Governance and Audit Committee, as appended to the report, be noted.

10 Annual Internal Audit Report

The Committee received a report of the Director of Resources highlighting those issues raised by Internal Audit with regard to the Annual Report for 2007/08. The report also sought the Committee's approval of the Internal Audit Plan for 2008/09. Both documents were appended to the report for Members' consideration.

Having received a brief summary of the two documents, the Committee particularly discussed the following issues:

- The level of resource used by Internal Audit to produce the annual report, and the performance of Internal Audit in terms of the service it provided, when compared to other local authorities;
- The frequency in which control environments and compliance were graded as having 'full' audit assurances, and the reasons why such grades were rarely achieved;
- The processes used to ensure that malpractice was identified and addressed, the extent to which managers had a duty to report such cases of malpractice to Internal Audit, and the nature of those cases which had been reported in the past;
- The relationship which existed between Internal Audit and wholly owned subsidiaries, such as Arms Length Management Organisations, and the extent to which Internal Audit continued to provide audit coverage to such bodies;
- The flexibility of the service provided by Internal Audit, and the level of contingency time which was set aside to address any unforeseen issues which arose during the course of the year;

- The need to ensure constitutional provisions were clear in relation to the sale of land;
- The need for transparent monitoring of Section 106 and Section 278 agreements;
- The actions taken to ensure that in those cases where only 'moderate' audit assurances could be given for both the control environment and compliance, a greater level of assurance would be achieved in the future;
- The problem of 'phantom tenants' in Leeds City Council Social Housing stock.

The Committee proposed that a sample number of the audit reports produced by Internal Audit which were of particular significance to the Committee could be submitted to future meetings for consideration.

RESOLVED -

- (a). That the Annual Internal Audit Report for 2007/08 be noted;
- (b). That the Annual Internal Audit Plan for 2008/09 be approved;
- (c). That the following matters raised by Members during the consideration of this item be incorporated into the Committee's work programme:
 - Arrangements in place for Section 106 and Section 278 agreements;
 - Arrangements to identify 'phantom tenancies' in Leeds City Council Social Housing stock;
 - Presentation of sample Internal Audit reports.

11 Report on Leeds City Council Programme and Project Management Arrangements

Members received a report of the Director of Resources providing an annual update on the ongoing implementation of a consistent corporate approach to portfolio, programme and project management (PPPM) by the Delivering Successful Change (DSC) project. In addition, the report also provided an annual review of the current adequacy of the Council's PPPM arrangements from the perspective of the Project Assurance Unit (PAU), a body which provided independent assurance to business change initiatives across the authority.

The Committee received an update on the work undertaken by the DSC project, which included the programmes and projects directorate survey. It was then proposed that Member workshops could be established in order to provide the Committee with further, more detailed information on the work of, and the methods used by the DSC project.

Members highlighted the apparent reluctance of some organisations to adopt the DSC approach, and briefly discussed how such attitudes could be addressed.

RESOLVED -

- (a) That the report and the work of both the Delivering Successful Change project and the Project Assurance Unit be noted;

- (b). That a further report from the Chief Officer (Audit and Risk) be submitted to a future meeting of the Committee which provides a more detailed analysis of the DSC's Programmes and Projects survey findings;
- (c). That a workshop be scheduled for Committee Members to consider project case studies which have used the DSC methodology.

12 Standards Committee Annual Report 2007/2008

The Committee received a report of the Assistant Chief Executive (Corporate Governance) presenting for Members' consideration the 2007/08 Annual Report of the Standards Committee.

Having received a summary of the report from the Chair of the Standards Committee, Members were advised that in considering the annual report, this should provide the Committee with some assurances, when they came to sign off the Annual Governance Statement later in the month.

Members particularly discussed the following issues:

- The evolving role of the Standards Committee in relation to the conduct of Parish and Town Councils in Leeds;
- The timescales involved in the processing of a complaint against an Elected Member, the impact that such timescales could have on the individuals concerned, and the proposals which had been made in relation to establishing a process which would ensure the swift turn around of such complaints.

RESOLVED - That the Standards Committee Annual Report for 2007/08 be noted.

13 Member Development - Annual Report 2007/2008

The Committee received a report of the Assistant Chief Executive (Corporate Governance) presenting for Members' consideration the 2007/08 Annual Report for Member Development. The report highlighted the key achievements from 2007/08 and outlined the proposed work programme for the forthcoming municipal year.

Members particularly discussed the following issues:

- The level of Member attendance at the Members' Casework Roadshow;
- Members' attitudes towards the Scrutiny process and the possibility of Scrutiny Chairs attending a Select Committee meeting;
- The need to ensure that Members received regular refresher courses in certain areas, in order to keep abreast of any changes to procedure or legislation;
- The actions which were taken to increase Member attendance at the training provided.

In conclusion, it was proposed that the Committee received an update on the delivery of Member Development later in the municipal year.

RESOLVED -

(a) That the Member Development Annual Report for 2007/08 be noted;

(b). That an update on the delivery of Member Development be submitted to the Committee later in the municipal year.

14 Local Government Ombudsman Performance Report

Members received a report of the Corporate Customer Relations Manager providing for Members' information details of the Council's performance in relation to complaints received from the Local Government Ombudsman for the period 1st January to 30th April 2008. The report also updated the Committee on recent legislative changes, and the change in procedure to the ways in which the Local Government Ombudsman received complaints.

Members particularly discussed the following:

- The potential implications arising from the introduction of the Local Government and Public Involvement in Health Act 2007, particularly in relation to the areas which could now be investigated by the Local Government Ombudsman;
- The limited timescales that the local authority had to respond to enquiries of the Local Government Ombudsman;
- The methods used to determine the extent to which compensation was allocated following an investigation by the Ombudsman;
- With regard to those organisations in which the Council had entered into a partnership arrangement, the extent to which the local authority was accountable for the outcomes delivered by such organisations.

In conclusion, Members discussed the possibility of increased interaction between the respective Chairs of the Standards Committee and the Corporate Governance and Audit Committee on the issues which had been raised, and it was proposed that further consideration could be given to such issues when the Local Government Ombudsman's Annual Letter was submitted to the Committee later in the municipal year.

RESOLVED – That the contents of the report be noted.

15 Work Programme

Members received a report of the Assistant Chief Executive (Corporate Governance) presenting the Committee's work programme for the remainder of the current municipal year.

Having acknowledged the Committee's considerable workload for the coming year, Members discussed the extent to which they could add or remove items from the work programme.

Following a proposal to split the Committee's September meeting into two separate sessions, in order to ensure that the workload for that cycle was manageable, Members were advised that the Chair and Members of the Committee would be canvassed for their availability on any proposed arrangements for the meetings.

RESOLVED – That the Committee's work programme for the remainder of the 2008/09 municipal year be noted.

This page is intentionally left blank

Corporate Governance and Audit Committee

Monday, 30th June, 2008

PRESENT: Councillor J Bale in the Chair
Councillors D Blackburn, G Driver, J Elliott,
G Latty, N Taggart, C Campbell and
G Kirkland
Co-optee Mr M Wilkinson

16 Chair's Opening Remarks

The Chair welcomed all in attendance to the meeting, particularly Councillor Kirkland who was attending his first meeting as a member of the Corporate Governance and Audit Committee and Jillian Burrows and Alison Ormston of KPMG.

17 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

18 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

19 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda the minutes of the previous meeting held on 18th June 2008, which were to be considered at agenda item 6 (Minute No. 22 refers).

Due to the limited timescales between the previous meeting and the publication of the agenda papers for this meeting, the minutes had been unavailable at the time of the agenda despatch, and were required to be submitted to this meeting, in order to enable them to be considered and confirmed as a correct record.

20 Declaration of Interests

No declarations of interest were made at the meeting.

21 Apologies for Absence

Apologies for absence from the meeting were received on behalf of Councillors Iqbal and Grahame.

22 Minutes of the Previous Meeting

That the minutes of the Corporate Governance and Audit Committee meeting held on 18th June 2008 be approved as a correct record.

23 Leeds Joint Area Review Report

The Committee received a report of the Director of Children's Services presenting the outcomes from the Leeds Joint Area Review (JAR) and advising of the formal requirement to produce an action plan in response to the review's recommendations. Members noted that in accordance with the Protocol for the Co-ordination of External Audit and Inspection Reports, a further report on the implementation of the actions arising from the JAR was scheduled to be submitted to the Committee later in the municipal year.

Having received a summary of the key outcomes and recommendations from the JAR, the Committee particularly discussed the following:

- The relationship which existed between the Council and the partner organisations delivering Children's Services provision in Leeds, and the extent to which such partner organisations were accountable for the outcome of the Leeds JAR and the delivery the actions arising from it;
- Clarification was sought on several areas identified by the JAR as requiring further development, these included the levels of security in place for the protection of computerised records, the proportion of 16 and 17 year olds not in education, employment or training (NEET), the need for one comprehensive register of children with disability and the take up rate by schools of the careers education and guidance monitoring arrangements provided by Connexions;
- Reference was made to the fact that the main strengths identified by the JAR were mainly procedural, and the main weaknesses were generally outcome based;
- The criteria used to determine the Local Authority's statistical neighbours;
- The timescales involved in the restructure of education and training provision for 14-19 year olds in Leeds;
- With reference to the city's large geographical area and its wide ranging socio-economic conditions, Members requested that the report which was scheduled to be considered by the Committee later in the municipal year contained more localised information on the outcomes and recommendations of the JAR.

In conclusion, Members acknowledged the considerable number of major strengths which had been identified by the review, when compared to the number of weaknesses.

RESOLVED –

- (a). That the contents of the report be noted;
- (b). That an update report on the implementation of the actions arising from the JAR, which provides more localised information on the outcomes and actions from the review be submitted to the Committee later in the municipal year.

(Councillor Taggart arrived at 1.30 p.m., during the consideration of this item)

24 Annual Report on Risk Management Arrangements 2007/08

Members received a report of the Director of Resources providing a review of the key risk management developments which had occurred across the

Draft minutes to be approved at the meeting
to be held on Monday, 29th September 2008

Council, Education Leeds and the Housing Arms Length Management Organisations (ALMOs) during 2007/08.

Having received a brief summary of the key issues detailed within the report, Members particularly discussed the following:

- The processes by which risks existing in directorates were assessed, and the criteria which was used to determine whether such risks were included within the Corporate Risk Register (CRR);
- Having made reference to the implications associated with the publication of the CRR, a matter which had been referred to in the Annual Report of the Corporate Governance and Audit Committee, it was noted that following the submission of the Annual Report to Council, a series of meetings would be sought between the Leader of Council and the Chair, in order to discuss issues such as the potential publication of the CRR;
- Members highlighted that Eastmoor Secure Unit was the only critical service yet to establish a Business Continuity Management Plan, and proposed that an update report on this matter was submitted to the next meeting of the Committee for consideration;
- The method of risk assessment which was currently used by the Council, and the possibility of consideration being given to the adoption of alternative methods of risk assessment in the future.

RESOLVED –

- (a). That the Annual Report on Risk Management Arrangements 2007/08 be approved;
- (b). That an update report on the issues associated with the establishment of a Business Continuity Management Plan for Eastmoor Secure Unit be submitted to the next meeting of the Committee for consideration.

25 External Audit and Inspection Plan for 2008/09

The Committee received a report of the Director of Resources providing a summary of the key audit risks, in addition to details of KPMG's planned work programme and audit and inspection fee for 2008/09.

Members particularly discussed the following:

- The relationship which existed between Leeds City Council, KPMG and the Audit Commission;
- The processes and criteria used to identify the key areas which were to be addressed as part of KPMG's 2008/09 work programme, and the nature of the guidance which would be offered by the external auditor on such key areas;
- The need for the Committee to revisit the External Audit and Inspection Plan later in the municipal year, in order to monitor the service which was being delivered by the external auditors.

RESOLVED –

- (a). That the Audit and Inspection Plan for 2008/09 be agreed;
- (b). That further consideration be given to the External Audit and Inspection Plan for 2008/09 later in the municipal year.

26 Review of the Effectiveness of the System of Internal Audit

The Committee received a report of the Director of Resources reviewing the Council's system of Internal Audit for 2007/08. The report also highlighted those areas of Internal Audit where improvements would be sought during 2008/09.

Members particularly discussed the following:

- The need for consideration to be given to the effectiveness of the Corporate Governance and Audit Committee during the current municipal year;
- The Committee's role in ensuring that appropriate control environments were in place across all directorates;
- Clarification was sought on whether Chairs of other Council committees were precluded from sitting on Corporate Governance and Audit Committee;
- Congratulations were extended to Internal Audit for the work which had led to CIPFA adopting certain practices previously developed and established by the Council;
- The need for a greater level of Member Development to be undertaken across the field of Internal Audit.

RESOLVED –

(a). That the report be approved and the positive outcomes of the review of the effectiveness of the system of Internal Audit be noted;

(b). That a review of the effectiveness of the Corporate Governance and Audit Committee be added to the Committee's work programme.

27 Corporate Governance Statement 2008

The Assistant Chief Executive (Corporate Governance) and the Director of Resources submitted a joint report introducing and commenting upon the 2008 Corporate Governance Statement, which was appended to the report for the Committee's approval.

The Committee sought a minor revision to the statement concerning the developing relationship between the Council and local people and stakeholders.

Members discussed the desirability of Education Leeds, the ALMOs and other third party organisations producing annual governance statements to inform future Corporate Governance Statements.

RESOLVED - That subject to the minor amendment as referred to above, the 2008 Corporate Governance Statement be approved, and the Leader of the Council, the Chair of the Corporate Governance and Audit Committee, the Chief Executive and the Assistant Chief Executive (Corporate Governance) be authorised to sign the document on the Council's behalf.

28 Statement of Accounts 2007/2008

Members received a report of the Director of Resources presenting the Council's 2007/08 Statement of Accounts for approval.

Draft minutes to be approved at the meeting
to be held on Monday, 29th September 2008

The Committee's approval was also sought on a revision which was required to be made to the figures concerning contingent liabilities.

Members discussed the provision which had been made to cover pay and grading costs and the increased number of officers who were now earning in excess of £50,000 per year.

The Committee highlighted the increased reserve for the estimated net pensions liability and discussed the criteria used to calculate the amounts needed for that reserve.

RESOLVED - That subject to the revision referred to above, the 2007/08 Statement of Accounts be approved, and in acknowledging the Committee's approval, the Chair be authorised to sign on behalf of the Committee, the appropriate section within the Statement of Responsibilities on page 1 of the Accounts.

(Councillors Driver and Latty left the meeting at 2.45 p.m. and 3.00 p.m. respectively, during the consideration of this item)

29 Work Programme

Members received a report of the Assistant Chief Executive (Corporate Governance) presenting the Committee's work programme for the remainder of the current municipal year.

Having discussed the possibility of splitting the September meeting into two separate sessions in order to maintain a manageable workload, it was proposed that Members would be canvassed for their availability on any revised arrangements.

Members considered the possibility of providing the Committee with an opportunity to reflect upon its role and the work it had previously undertaken. Consideration was also given to the Committee's role in terms of issues such as the review of polling districts.

RESOLVED -

(a). That the Committee's work programme for the remainder of the current municipal year be noted;

(b). That the Chair be authorised to revise the work programme, in line with Members' wishes.

This page is intentionally left blank



Originator: Kay Sidebottom
Tel: 0113 39 50852

Report of the Head of Scrutiny and Member Development

Standards Committee

Date: 16 October 2008

Subject: Learning and development for parish and town councillors

Electoral Wards Affected:

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report updates the Committee on progress with the project to review learning and development provision for parish and town councillors.

As the role of parish councillors is extremely varied, the report puts forward a number of learning options; some joint with city councillors, and others specifically tailored and delivered on an area basis.

This report seeks views on how best to prioritise and deliver the training, and also gives details of other learning resources available to parish councils.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to update members of Standards Committee on progress made in identifying learning and development needs for parish and town councillors.

2.0 Background Information

- 2.1 The Standards Committee is responsible for ensuring high standards of conduct within parishes and that every Member is aware of their responsibilities under the Code of Conduct. As part of its role, the Committee makes arrangements for training for parish and town councillors in Leeds. It keeps the training received by these Members under review, and has supported the development of new methods to make the training more accessible, such as e-learning and pocket guides.
- 2.2 At its meeting of 14 April 2008, the Committee stated that the current training provision to parish and town councils needed to be reconsidered due to findings in the Ethical Audit Action Plan 2006. It was agreed that the Head of Scrutiny and Member Development would work with the Parish representatives on the Committee to establish what types of training are appropriate for Parishes.
- 2.3 A consultation exercise with the parish representatives (and other groups) has now been carried out and an analysis of training needs undertaken. This report proposes a number of learning and development options for parish and town councillors based on those findings.

3.0 Main Issues

- 3.1 The role of parish councillors is varied and the range of activities they are involved in at a local level is immense. Essentially these activities fall into three main categories: representing the electorate, delivering services to meet local needs and striving to improve the quality of life in the area.
- 3.2 In order to carry out their duties effectively, parish councillors require a range of skills and knowledge. These can be grouped into the following competence areas:
- Ethical conduct
 - Planning
 - Financial awareness
 - Meeting skills
 - Understanding of the local government context (Council structure, how to access services, how to use the complaints/compliments system, local government finance etc).
- 3.3 Training and development proposals for each of the competence areas are outlined below, and summarised in Appendix A – Summary of training options 2008-9.

Ethical conduct

All parish and town councillors are required to abide by the Code of Conduct, and therefore require an understanding of it and how it applies to them. This is especially important for new councillors joining a council. As new councillors can potentially be elected or co-opted at any time, it would not be sufficient to offer training on an annual basis only. Therefore the following provision is suggested:

1. Training sessions at a local level provided by Democratic Services staff. These may be best provided on an area basis (North, South, East and West) and offered to the parishes who requested it in the Annual Audit in the first instance, with remaining places offered to other parishes. These sessions could be scheduled from January 2009 onwards.
2. Regular sessions at the Civic Hall, Leeds for those who request it, subject to demand. Running these periodically over the course of a municipal year would provide options for new councillors to attend. Sessions could be offered during the daytime or early evening.

Where parishes are keen to organise Code of Conduct training outside of the times offered by Leeds City Council, the Yorkshire Association of Local Councils (YALC) is able to run Code of Conduct training sessions. These can be held at a venue to suit the parish during daytime or evening and up to 30 councillors can attend. The cost is £30 per councillor for an evening session.

Where possible, clerks should provide new councillors (and existing councillors requiring a refresher) with guidance and support through the numerous Code of Conduct training materials available. For example, 'The Code Uncovered' DVD mentioned above is available to purchase at £45 and would be a useful tool to lend to new councillors. The Member Development team are happy to advise on appropriate materials and provide contact details.

Planning

One of the roles of parish and town councillors is to influence and shape the long term development policy for the parish, and as part of the planning process, comment on planning applications in the parish. It is important, therefore, that councillors understand the basics of the planning system and how to comment effectively.

It is suggested that councillors attend a course provided by Trevor Roberts Associates (professional training consultants who currently train Leeds city councillors) to include the following topics:

- Introduction to Planning (key elements of the planning system; discretion for local authorities)
- Basics of Development Control
- How Parish/Town Councils fit into this process – how to influence effectively
- Understanding material considerations
- Key policies and plans (eg UDP, LDF, Green Belt)
- The positive role of Parish and Town Councils.

The course is a practical one that includes case studies and real-life examples. The cost is around £60 per person. Up to 25 places are available on each course, which could run during the day or evening and lasts 3 hours.

Additional planning training

A number of planning events are held for Members of Leeds City Council and these could also be offered to parish councillors. Previous topics have included: planning enforcement, design awareness, the Local Development Framework and the Unitary Development Plan. Invitations to such events could be extended to parish/town councillors via communication to the clerks. All such events are held in the city

centre and generally at lunchtime, although evening sessions are also provided where demand exists.

In addition to the above, Planning Officers are happy to attend the annual Parish and Town Council Forum to present briefing sessions on planning and demonstrations of the Public Access system.

Chairing and meeting management

As part of their package of training, the Yorkshire Association of Local Councils provide a Chairing Meetings course entitled 'In the Chair' for current and prospective chairs, and, given that it is tailored specifically to parish council needs, this may be the most appropriate provider to use. Costs are the same for all YALC courses; £30 per delegate. The Member Development team would be happy to assist with arrangements or procure an alternative training provider on behalf of the parishes.

Financial awareness

Specific training on parish precepts and budgets is available via YALC or the Certificate in Local Council Administration (the qualification for clerks, aspiring clerks and councillors).

The Member Development team run a regular event on Local Government Finance which is also open to parish councillors. The event aims to:

Local Government context

Feedback from consultation has suggested that parish councillors would find events on the local government context useful and informative. Training in this area could include the following topics: How the Council works – Structures and Decision-making Processes and Understanding Local Government Finance. If this area of learning is felt to be useful officers could investigate additional topics such as:

- How to access Council services
- Focus on specific services (eg Highways, Recreation, Libraries, Sports facilities, Environment)
- Understanding the complaints and compliments system
- Local Area Agreements.

It is proposed that any training includes practical events, such as Question and Answer sessions with officers and tours/visits.

3.4 Training delivery and resources

It is suggested that any training sessions offered are concise and practical, using interactive tools such as 'The Code Uncovered' DVD for standards training, and are evaluated for their effectiveness and return on investment.

A number of training resources are currently available for parish councillors. These are summarised in a Learning Directory which is attached at Appendix B. The resources include the following:

- Planning guides consisting of a quick reference card containing material and non-material considerations and a list of main use classes. A guide to the Public Access system is being produced and will be available following updates to the system this autumn.

- 'Take the chair' audio CD – Chairing skills for successful meetings.
- Chairing Skills workbook.
- Modern Councillor e-learning courses (which include Chairing Meetings, Public Speaking, Dealing with the Media and Equality and Diversity)
- Local Government Finance Glossary of Terms (diary size)
- Understanding Local Government Finance e-learning course produced by Leeds City Council (topics include: Overview of Finance, Understanding Budgeting, Scrutinising the Budget).

3.5 This directory is available to all parish clerks, who can request copies of the resources at any time from the Member Development Team.

3.6 Funding

The sum of £1500 has been identified from Democratic Services existing budget provision, which will be used to match-fund training for parish and town councillors on an area basis. Consideration needs to be given to how this funding should be directed (ie whether to be used to deliver a specific programme of training such as Planning, or used for a selection of events).

Officers suggest that the most effective use of the funding would be to procure a programme of Planning training, as outlined in 3.3. Delivering this on an area basis would allow a large number of councillors to attend high quality training at reduced cost.

4.0 **Implications for Council Policy and Governance**

4.1 Governance of the parishes by parish and town councillors will improve following the training on the areas specified in this report.

4.2 There are no implications for council policy.

5.0 **Legal and Resource Implications**

5.1 The sum of £1500 has been identified from existing Member Development budget provision for the year 2008-9. This can be used to match-fund training for parish and town councillors on an area basis.

Funding for future years will be subject to budget availability.

Depending on the availability of necessary resources, the Member Development team will co-ordinate and administrate the events. The delivery of all ethical conduct training is subject to the availability of resources in Democratic Services.

6.0 **Conclusions**

6.1 Parish councillors require a comprehensive package of training and development in order to operate effectively in the areas of ethical conduct, planning and finance, and to keep up to date with Council matters. Much of this learning and development can be carried out in conjunction with city councillors, but some specific training should also be provided.

6.2 A number of options have been identified, and these are summarised in Appendix A. The Council has identified a sum of £1500 which would be used to match-fund some of these development activities.

6.3 In addition to traditional, classroom-based training a number of resources and electronic or audio learning methods are available. These have been summarised into a Learning Directory and copies of all materials are available upon request from the Member Development Team.

7.0 Recommendations

7.1 Members of Standards Committee are asked to:

- comment on the training options outlined in this report, specifically the options described in section 3 and summarised in Appendix A
- provide guidance on how to prioritise training and where to direct the funding identified by Democratic Services.

Background documents

Report to Standards Committee 14th April 2006 “Ethical Audit Action Plan 2006 - Member Development update on actions”

**Appendix A - Parish and Town Councillors –
Summary of suggested training options for 2008-9**

Skill Area	Details	Method/delivery	Training provider	Timescale	Cost
Ethical Conduct	Training sessions provided by Corporate Governance staff.	Delivered on an area basis, early evening. Using interactive methods such as quizzes and Standards Board DVD.	Corporate Governance team	January 2009 onwards	n/a
	As above, but provided on a regular basis (subject to demand) to pick up newly elected or co-opted councillors.	Sessions at the Civic Hall, daytime or early evening.	Corporate Governance team	January 2009 onwards	n/a
	Code of Conduct training course	Delivered by parish or on an area basis, time to suit the group	Yorkshire Association of Local Councils (YALC)	As required	£30 per person (max of 25 people)
Planning	Training course using case studies to include the following topics: <ul style="list-style-type: none"> • Introduction to Planning (key elements of the planning system; discretion for local authorities) • Basics of Development Control 	Delivered on an area basis, time to suit the group Case studies and presentations.	Trevor Roberts Associates (TRA)	As required	£60 per person* (max of 25 people)

Skill Area	Details	Method/delivery	Training provider	Timescale	Cost
	<ul style="list-style-type: none"> • How Parish/Town Councils fit into this process – how to influence effectively • Understanding material considerations • Key policies and plans (eg UDP, LDF, Green Belt) • The positive role of Parish and Town Councils. 				
	<p>Training courses provided for city councillors, on topics such as: Planning Enforcement, Design Awareness, the LDF etc.</p>	<p>Usually city centre, daytime or early evening</p> <p>Variety of training methods including visits, case studies, breakout sessions and presentations.</p>	<p>Varies between officers, TRA and other providers</p>	<p>On-going</p>	<p>Depends on training provider</p>
<p>Financial Awareness</p>	<p>Training sessions on 'Budgets and Precepts' (for clerks and councillors)</p>	<p>Delivered by parish or on an area basis, time to suit the group</p>	<p>Yorkshire Association of Local Councils (YALC)</p>	<p>As required</p>	<p>£30 per person (max of 25 people)</p>

Skill Area	Details	Method/delivery	Training provider	Timescale	Cost
	'Understanding the Budget' – Local Government Finance course for city councillors	Daytime or early evening Case studies, presentations and e-learning.	Finance Officers	October 2008	N/A
Meeting Skills	'In the Chair' – chairing skills course for current and prospective chairs	Delivered by parish or on an area basis, time to suit the group	Yorkshire Association of Local Councils (YALC)	As required	£30 per person (max of 25 people)
Local Government Context	Package of training to include the following topics: <ul style="list-style-type: none"> • How the Council works – structures and decision-making processes • Understanding local government finance • How to access Council services • Focus on specific services (eg Highways, Recreation, Libraries, Sports facilities, Environment) • Understanding the complaints and compliments system. 	TBC Variety of methods to include tours, presentations, quizzes, discussions.	TBC	TBC	TBC

This page is intentionally left blank

Learning Resources for Parish and Town Councillors

2008-09

Leeds Member Development




Learning Resources for Parish and Town Councillors 2008-09

This booklet explains the learning and development resources which are available for parish and town councillors in Leeds.

The learning and development resources are split into the four areas of training needs identified by parish and town councillors:

- ❖ Code of conduct
- ❖ Planning
- ❖ Chairing and managing meetings
- ❖ Financial awareness.

There are a number of learning and development opportunities available. The learning methods are identified by the following symbols:

- E Practical training course
-  Computer-based, e-learning course
-  Written guidance
-  Audio CD

Other learning opportunities

E-learning

E-learning courses are available on www.moderncouncillor.com on a variety of topics, such as Public Speaking, Introduction to Local Government, Dealing with the Media and Community Leadership.

Log-in details and guidance on using the site are available from the Member Development team.

Events

Leeds elected Members have a programme of events throughout the year, some of which are also open to parish and town councillors, via the clerks. Seminars planned include: Housing Law, Children's Plan, Risk Awareness in relation to children and vulnerable adults, and Leeds and the City Region.

Annual Conference

A Parish and Town Councillor Annual Conference each year will focus on learning topics such as the Code of Conduct and Planning.

For further information on any of the learning opportunities outlined in this booklet, please contact your parish clerk or Kay Sidebottom, Member Development Officer. Tel: 0113 3950852. Email: kay.sidebottom@leeds.gov.uk

2. Planning

Parish and town councillors get involved in developing long term planning policy for their areas and comment on planning applications.

The following training options will help councillors understand the basics of the planning system and how to comment effectively:

E **Introduction to Planning** workshop by Trevor Roberts Associates. Can be delivered on an area basis (£60 per person, min number of attendees required)

E **Introduction to Planning** event – Yorkshire Association of Local Councillors. Can be delivered on an area basis. (£30 per person, min number of attendees required)

E Events run by Leeds eg Planning Enforcement, Local Development Plan, Design Awareness Day etc

 Planning quick reference guides – material and non-material considerations; use classes, etc

E Annual Parish and Town Council Forum briefing sessions available, including how to use the ‘Public Access’ system.

3. Chairing and managing meetings

Chairing and managing meetings are important skills for parish and town councillors who will often be involved in various community groups and dealing with conflicting points of view.

There are a number of options for training on chairing skills:

E **Chairing Meetings** course by YALC (£30 per councillor)

 **‘Take The Chair’** audio CD – chairing skills for successful meetings

 **Chairing Skills** workbook (Improvement and Development Agency)

 **Chairing Meetings** Modern Councillor e-learning module.

4. Financial awareness

Financial awareness is essential for those parish and town councillors who require an understanding of local government finance and parish precepts.

The following training is available:

- E **Parish Precepts and Budgets** training session – YALC (£30 per councillor)



Certificate in Local Council Administration
(National Association of Local Councils
qualification for clerks and parish councillors)



Local Government Finance Glossary of Terms



Understanding Local Government Finance e-learning course

1. Code of Conduct

All parish and town councillors are required to abide by the Code of Conduct, and therefore require an understanding of it and how it applies to them.

The options for training are:

- E Practical training sessions by Leeds Corporate Governance staff, delivered on an area basis
- E Practical training sessions by Leeds Corporate Governance staff, delivered in the Civic Hall (subject to demand)
- E Practical training sessions by the Yorkshire Association of Local Councillors (YALC) (£30 per councillor)



'The Code Uncovered' DVD by Standards Board (£45 per copy).



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Parish and Town Council Annual Audit 2007

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to outline the final results of the Parish and Town Council Annual Audit and proposals for addressing these results.
2. The questionnaire asked questions about the ethical arrangements in place at their authority and required them to provide sample documents to support their answers.
3. As these results are quite diverse and complex, a profile has been created. This enables Parishes to be compared against one another. The profile also includes information regarding the number of complaints and investigations involving each Parish.
4. The Monitoring Officer, the Chair of the Standards Committee and at least one of the Parish and Town Council representatives on the Standards Committee will be meeting soon to discuss these results and take the relevant action. The Monitoring Officer and the Chair of the Standards Committee will report back to the Standards Committee in due course on the results of the profile and any action taken.
5. Members of the Standards Committee are asked to:
 - Consider the information contained in this report; and
 - Note the intention of the Monitoring Officer and the Chair of the Standards Committee to consider the Parish profiles and report back to the Standards Committee in due course.

1.0 Purpose Of This Report

1.1 The purpose of this report is to outline the final results of the Parish and Town Council Annual Audit and proposals for addressing these results.

2.0 Background Information

2.1 The questionnaire asked questions about the ethical arrangements in place at their authority and required them to provide sample documents to support their answers.

2.2 The questions covered four main areas:

- Adoption of the new Code of Conduct
- Acceptance of office and registration of interests
- Declarations of interest
- Training on the Code of Conduct

2.3 Clerks were asked to provide sample acceptance of office forms, extracts from the register of interests, and copies of minutes showing the recording of a declared interest.

2.4 All Parishes returned their completed audit form. However several Parishes were unable to produce the sample documents for various reasons.

3.0 Main Issues

Results of the Audit

Section 1 - Adoption of the new Code of Conduct

3.1 All authorities were required to adopt the new Code of Conduct by 1st October 2007, otherwise the revised Code of Conduct was imposed on them. This set of questions sought to establish that all authorities had adopted the revised Code and completed their statutory duties surrounding its adoption.

3.2 **Has your Parish or Town Council adopted the revised Members' Code of Conduct?**

All 30 respondents answered 'yes' to this question.

3.3 **Do all your Members have access to a copy of the Members' Code of Conduct adopted by your Council?**

All 30 respondents answered 'yes' to this question.

3.4 **Have you notified the Standards Board for England that you have adopted the revised Code and in what format?**

All 30 respondents answered 'yes' to this question.

3.5 **Have you placed a public notice in a local newspaper advising the public that you have adopted a new Code of Conduct?**

28 respondents answered 'yes' to this question. Two Parish Councils answered 'no'. The legislation states that all authorities must place a public notice in one or more newspaper circulating in the area of the authority as soon as reasonably practicable.

All Clerks were provided with advice on this through the Standards Board Bulletin, Town and Parish Standard, and from Leeds City Council in the form of an email or letter providing details of the statutory requirements and some example wording. The specific training sessions on the new Code of Conduct for Clerks which took place in June and July 2007 also explained the practical requirements of the new Code in full.

Section 2 – Acceptance of office and registration of interests

- 3.6 These questions sought to establish that all Councillors had agreed to abide by the Code of Conduct, that the register of interests had been updated in line with the new Code, that it was available for public inspection and that it was being regularly reviewed.
- 3.7 **Have all your Members signed their Acceptance of Office form (including an agreement to abide by the Code of Conduct) within two months of their election or co-option? If no, please explain the reason for this.**

All 30 respondents answered 'yes' to this question, and all but one Parish Council were able to provide a sample copy which all complied with the requirements of the Code.

The Local Government Act 1972 states that if Councillors fail to complete their Acceptance of Office form within two months of the election or co-option, they cease to be Councillors and a by-election is required. Electoral Services have confirmed that all Councillors of this Parish were re-elected in this municipal year in an uncontested election. According to the legislation, Councillors still need to complete an Acceptance of Office form, even when they are elected in an uncontested election.

Parish and Town Council Clerks were provided with guidance on this subject through the Induction Toolkit produced by the Corporate Governance Team, and advice on this matter is also provided by the Electoral Commission.

- 3.8 **Does your Council have a register of interests?**

All 30 respondents answered 'yes' to this question. All but one of these were also able to provide at least one sample from their register, five of which were in the old format and did not include the requirement for Members to register their gifts and hospitality in the public register.

One Parish Council was unable to provide a sample as there are "no entries registered" according to the Clerk.

All Councils have been provided with a new template for the register of interests both through correspondence and as part of the Induction Toolkit provided to all Clerks at the beginning of the municipal year. The specific training sessions on the new Code of Conduct for Clerks which took place in June and July 2007 also explained the practical requirements of the new Code in full.

3.9 **Have you updated your register of interests with the new format? i.e. does it now include a requirement to register gifts and hospitality?**

26 respondents answered 'yes' to this question, and it was evident from the samples provided that the other four Parish Councils had not done so.

3.10 **Do you allow the public and other Members to view the Register of Interests? If yes, please explain how are the public able to access the register.**

All Councils answered 'yes' to this question. The majority of Councils explained that a member of the public would have to apply to the Clerk to see the register, and a few stated that notices explaining this are placed on notice boards in the Parish. Those with Council offices stated that the register was available for inspection during office hours. No Councils had the register available on their website.

3.11 **Have all your Members completed the Register of Interests within 28 days of their election or co-option? If not, please explain the reason for this.**

28 respondents answered 'yes' to this question. Two Parish Councils answered 'no'. The reasons provided for the delays are outlined below:

"The Parish Council were awaiting official notification of the result of the election (never received) but undertook completion of the register at the next meeting in June."

"Completed within 2 months of election, at the next Council meeting in June (typically 5-7 meetings per year)."

Although one of the Parish Councils answered 'yes' to this question, they also provided the following comment:

"All delayed until after the adoption of the new Code on 25th July 2007"

which suggests that the register of interest forms (under the previous Code of Conduct) were not completed in the required 28 days of the election.

All Clerks were notified of the deadlines for completion of the Register of Interests through the Standards Board Bulletins, the Town and Parish Standard, correspondence from Leeds City Council and the Induction Toolkit. The specific training sessions on the new Code of Conduct for Clerks which took place in June and July 2007 also explained the practical requirements of the new Code in full.

3.12 **Do you have arrangements in place to regularly remind Members to review and update their Register of Interests? If yes, please explain what these arrangements are.**

29 respondents answered 'yes' to this question. One Council answered 'no' to this question.

Every year Clerks have been reminded of the need to ensure the Register of Interests is up to date and have been asked to confirm that Members' have reviewed their entry. In this letter Clerks are also advised to remind Members on a quarterly basis where possible.

The majority of Clerks have informed us that a reminder is featured on the Council's agenda on a regular basis. One Clerk also monitors the Register on a monthly basis in addition to the reminders as part of the Council agenda.

Section 3 – Declarations of Interest

3.13 These questions sought to establish how Members are reminded of the need to declare their interests and how these interests are being recorded.

3.14 **Is Members' declaration of interests a standard item on your Parish or Town Council agenda? If no, please explain how Members are reminded of the requirement to declare interests at meetings.**

25 respondents confirmed that declarations of interest were a standard item on their Council's agenda, the remaining five said that it was not. These five provided the following explanations as to how their Members are reminded of the requirements to declare their interests:

"It is not a documented item - it is stated at the start of the meeting verbally."

"Members are asked to declare interests in agenda items."

"Councillors are aware of the requirement and as a Parish Council other Members would be aware of each others interests, as would the Clerk and would act accordingly."

"By a reminder at the annual Parish Meeting."

"Through register reminders."

Another Parish Council also stated that declarations of interest are considered at the start of the Clerk's report (an item on every agenda), and that agendas are reviewed by the Chairman and the Clerk prior to the meeting whereby known conflicts of interest are identified, which sounds similar to the aide memoir system in operation at Leeds City Council.

3.15 Respondents were also asked to provide an extract from their minutes which showed the recording of a declared interest. 26 respondents were able to provide a sample, whereas four Parish Councils had never had an interest declared at their Council and were therefore unable to provide a sample.

Of those 26 samples provided, 16 contained an error of some sort. These errors related to either the type of interest not being recorded (personal or personal and prejudicial), a reason for the interest not being provided, or no action being recorded (i.e. the Councillor therefore left the room and took no part in the discussion or vote on the matter), or a combination of the above. Some samples did record a type of interest and an action, but these did not correspond with each other.

3.16 In Leeds, Governance Officers are given the following advice when recording declarations of interest in minutes:

"Note the exact circumstances in detail i.e.

- What is the interest?
- Is it personal or personal and prejudicial?

- Did the member concerned speak and/or vote?
- Did the member withdraw from the meeting? (An absolute requirement for prejudicial interests)

Minute the disclosure in full identifying all the above circumstances.”

It is proposed that this advice is provided to Clerks to Parish and Town Councils so that minutes are clearer and more accurate.

Section 4 – Training on the Code of Conduct

3.17 These questions sought to establish what training Parish Councillors had received on the new Code of Conduct, what the source of the training was and whether any further training was required.

3.18 **Have any of your Members received training on the new Code of Conduct? If yes, who provided this training?**

18 respondents stated that they had received training on the new Code of Conduct. The majority of this training seems to have been provided by Leeds City Council, although three Parish Councils had also received training from the Yorkshire Local Councils Association, and one Parish Council has been trained by their Clerk.

A further 12 respondents stated that they had received no training on the Code of Conduct, although one Parish Council stated that they had used the literature and DVD from the Standards Board for England despite receiving no formal training.

3.19 **Would any of your Members like to take part in further training on the Code of Conduct? If no, what is the reason for this?**

13 respondents answered ‘yes’ to this question, 16 respondents answered ‘no’, and the final Council did not provide an answer. For one of the Parish Councils further training is not necessary as all Councillors have now been trained by the Clerk. Two Parish Councils stated the reason for not wanting further training as ‘work commitments’.

The other reasons provided were as follows:

“No specific reason, Members felt that the Code was quite self-explanatory.”

“Experienced Councillors satisfied with documentation received.”

“Clerk has attended training. Never had an issue. Prefer to seek help as and when queries arise.”

“The two untrained Members are long serving and consider they have been adequately briefed.”

“They believe they understand the Code from reading the booklet provided by the SBE and the explanation I gave them after their training session!!!”

“Members have had access to all the literature from Leeds City Council, Standards Board for England and YLCA.”

“The untrained Member is long serving and considers they have been adequately briefed.”

“Councillors feel clear about the Code from the information already provided, and would therefore not be interested in further training.”

“Current documentation is available plus debriefing from Members who have attended formal training is thought sufficient at this time.”

“The Clerk attended training provided by Leeds City Council at Civic Hall. Members are content to rely on the Clerk to monitor Code of Conduct issues and to ensure that all requirements falling upon Members are fulfilled, as necessary.”

“[This] Parish Council does not wish to be considered for Quality Parish Status.”

“With respect, when this has been discussed the Councillors, all volunteers, didn't feel this had any bearing on their work, and they were all well adjusted adults who know the difference between right and wrong.”

- 3.20 The 13 Councils who have indicated that they would like to take part in further training have not been offered any so far. This is because of the resource issues which existed within the Corporate Governance Team, which have now been resolved.

Parish Council Audit outcomes

- 3.21 As these results are quite diverse and complex, a profile has been created. This enables Parishes to be compared against one another. The profile also includes information regarding the number of complaints and investigations involving each Parish.
- 3.22 The profile gives an indication as to how well each Parish has complied with each of their legal and Code of Conduct obligations. The assessment areas are:
- Has the Parish adopted the new Code of Conduct?
 - Do Members have a copy of the Code?
 - Has the Clerk notified the Standards Board?
 - Has the Clerk placed a notice in the local paper?
 - Have all Members signed acceptance of office forms within 2 months of the election?
 - Does the Council have a Register of Interests?
 - Is the Register up to date?
 - Are the public able to see the Register?
 - Have all Members registered their interests within 28 days of their election?
 - Does the Clerk remind Members to update their register?
 - Is the declaration of interests a standard agenda item?
 - Are the minutes of declared interests accurate?
 - Have Members been trained on the new Code of Conduct?

- Has the Clerk been trained on the new Code of Conduct?
- Would the Parish Council take part in further training?
- Have there been any complaints regarding the Code of Conduct involving this Council?
- Have there been any investigations involving this Council?

3.23 The Monitoring Officer, the Chair of the Standards Committee and at least one of the Parish and Town Council representatives on the Standards Committee will be meeting soon to discuss these results and take the relevant action (as outlined below):

- Those from the best performing Councils will be congratulated on their results and perhaps asked whether they would like to work with the Standards Committee in order to assist some of their neighbouring Councils.
- Those Councils who have some weaknesses in their score, but are not of particular concern to the Monitoring Officer and Chair, will be provided with additional guidance and assistance to address those areas.
- Those who are identified as being poor performers will be asked to meet with the Monitoring Officer, the Chair of the Standards Committee, and the Parish representatives on the Committee to highlight the importance of their obligations and to discuss what help and assistance they require.

3.24 The Monitoring Officer and the Chair of the Standards Committee will report back to the Standards Committee in due course on the results of the profile and any action taken.

3.25 The success of these actions will be monitored by a second audit to be started in June 2009. The results of future Parish and Town Council Audits will be presented to the Standards Committee in the form of public reports.

4.0 Implications For Council Policy And Governance

4.1 It is part of the Standards Committee Terms of Reference to promote, monitor and review and Codes of Conduct and to provide advice and guidance to Members and officers and to make arrangements for training in matters relating to codes of conduct and protocols.

4.2 It is essential that Parish and Town Councils are assisted with complying with their legal duties in order to maintain high standards of governance, and to ensure public confidence in local democracy.

5.0 Legal And Resource Implications

5.1 There are resource implications to providing the additional training that has been requested as part of the Annual Audit, although it is anticipated that these can now be met from within existing resources.

5.2 The legal implications to this report are as set out in the main body of the report.

6.0 Conclusions

- 6.1 The questionnaire asked questions about the ethical arrangements in place at their authority and required them to provide sample documents to support their answers.
- 6.2 As these results are quite diverse and complex, a profile has been created. This enables Parishes to be compared against one another. The profile also includes information regarding the number of complaints and investigations involving each Parish.
- 6.3 The Monitoring Officer, the Chair of the Standards Committee and at least one of the Parish and Town Council representatives on the Standards Committee will be meeting soon to discuss these results and take the relevant action. The Monitoring Officer and the Chair of the Standards Committee will report back to the Standards Committee in due course on the results of the profile and any action taken.
- 6.4 The success of these actions will be monitored by a second audit to be completed in June 2009.

7.0 Recommendations

- 7.1 Members of the Standards Committee are asked to:
- Consider the information contained in this report; and
 - Note the intention of the Monitoring Officer and the Chair of the Standards Committee to consider the Parish profiles and report back to the Standards Committee in due course.

Background documents referred to in this report

Governance Services Guidance Notes for Staff

Standards Board for England Bulletin 33 (May 2007) and Bulletin 34 (July 2007) both available at <http://www.standardsboard.gov.uk/Publications/TheBulletin>

Standards Board for England Town and Parish Standard Issue 1 (September 2007) available at <http://www.standardsboard.gov.uk/Publications/TownandParishStandard/>

This page is intentionally left blank



Originator: Alex Watson

Tel: 0113 224 3077

Report of the Chief Officer Human Resources

Standards Committee

Date: 16th October 2008

Subject: Ethical Audit Action Plan: Actions for the Chief Officer Human Resources

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report follows on-going work arising from the Ethical Audit Action Plan and presents:
 - a) a review of recent progress;
 - b) a wider assessment of responsibilities for embedding interrelated key governance issues, including issues arising from the Ethical Audit.
2. The Standards Committee is asked to note the information provided and comment as required.

1.0 Purpose Of This Report

- 1.1 This report deals with the consequences of the Ethical Audit Action Plan which were attributed to the Chief Officer (Human Resources) following the 2006 Ethical Audit. This sampled the views of staff graded above SO2 and who were in managerial roles. It was also followed up by a survey of staff graded below this level. Both surveys show the degree to which our work-force understands and is aware of our overall Ethical Framework.
- 1.2 This report provides information to the Committee on the steps taken here to improve this understanding. It also presents a wider set of emerging and on-going requirements for effective governance that affect the Authority as a whole. More work is needed to link themes together, but this can provide better outcomes and engagement on the Ethical Audit themes.

2.0 Background Information

- 2.1 The Council's Ethical Audit findings highlighted deficiencies in awareness, knowledge and skills across a number of areas. The level of Officers' exposure to issues potentially affected this. However, findings also show opportunities to promote good governance. This applied to the following:
- a) the audit findings showed that a significant proportion of officers were unaware of their responsibility to abide by the Officers' Code of Conduct
 - b) a significant proportion of Officers are 'fairly' or 'very unclear' about their responsibilities under the Ethical Framework
 - c) a significant proportion of Officers did not understand the role of the Standards Committee, or the Whistle Blowing Policy.
- 2.2 The Standards Committee requested that the Chief Officer (Human Resources) address these findings by ensuring the development of key competencies and behaviours for managers made appropriate reference to the Ethical Framework.
- 2.3 The Committee requested that progress be reported to this meeting. By undertaking this work, a number of wider themes have also emerged and these are discussed later.

3.0 Main Issues

Ethical Audit Action Plan

- 3.1 The issues raised in paragraph 2.1 are being addressed by:
- a) Manager Briefings - Using a standard briefing for HR staff to consider ethical audit findings with groups of managers
 - b) Clearer induction – updating induction materials for new staff
 - c) Developing leadership standards which include governance matters
- 3.2 In terms of specific progress the following is noted:

- a. A managers briefing has been trialled with a cross section of managers. As well as raising key issues from the ethical audit e.g. engagement with members, these prompt managers to consider their responsibilities to promote good governance. This will be a means of testing managers' understanding to develop further packages of support tailored to the needs of different managers and best delivery methods. Arrangements are now being put in place to ensure managers are able to be briefed and assess their requirements for more support and knowledge
- b. Corporate induction materials have been revised to include appropriate references to the Officers Code of Conduct, Whistle Blowing and Ethical Framework. A further review of the induction process will be used to assess the impact of these changes.
- c. New leadership standards were launched in September and will be applied as part of the appraisal process for Senior Managers (i.e. JNC staff). (See Appendix I). Section 9 of this document will be the benchmark by which managers are judged regarding their relationships with members and their wider responsibility to ensure their staff and services adhere to these standards.
- d. In addition, the importance of good officer/member relationships were raised at the "Good to Great" Conference this last month. The 300 most senior managers and a cross section of members attended this.

The Wider Governance Context

- 3.3 The above work addresses specific issues which are important to the work of the Standards Committee. Some feedback suggests there could be greater benefits and engagement by having a more combined focus across a converging set of governance issues. This means improvements can fit with:
- cultural change and leadership developments e.g. leadership standards and managers responsibilities for improving awareness and setting standards.
 - Understandings and applications of key service conditions – e.g. the Code of Conduct
 - Developing relevant technical skills that are needed by Officers to underpin good governance in other areas:
 - i. Managing projects to our "Delivering Successful Change" standards,
 - ii. Promoting good employment and equality practice,
 - iii. procurement and financial management.
- 3.4 Further work is being carried out to ensure a more comprehensive framework is in place to cover this. It will also set out requirements different types of staff i.e.
- Chief Officers/Heads of Service
 - Middle Managers
 - Professional/Specialist Officers

- Other staff¹

3.5 As well as identifying the skills, behaviour and knowledge needed, requirements would also identify how different groups would be either:

- Accountable or responsible for ensuring issues are embedded
- Informed and consulted on matters to ensure adequate understanding and “buy-in”.

4.0 Implications for Council Policy and Governance

4.1 This report addressed a range of governance themes; aiming to improve our approach and good governance culture.

5.0 Legal and Resource Implications

5.1 There are no legal implications. However it will be necessary to consider how existing funding is prioritised to meet development requirements. This will be done through normal processes whereby services review development needs.

6.0 Conclusions

6.1 Responding to the Ethical Audit Action plan has presented an opportunity to work more widely across common governance issues. As with many training and development requirements, this also should be considered as a continuous need; and not a one-off initiative. To provide sustained and continuous improvement, work will also focus on core governance issues and to develop solutions that are applied as an on-going effort. Specifically Learning Development managers will be required to take this work forward; with the intention that good governance is central to the Council’s new culture and way of working.

7.0 Recommendations

7.1 Members of the Standards Committee are asked to note:

- the specific position regarding Ethical Governance awareness
- how this work is being used to strengthen overall approaches to embed good governance.

Background documents

Ethical Audit Action Plan 2006

¹ This later group would cover the staff graded below SO2 who were the subject of the last Ethical Audit.



CORE STANDARDS FOR ALL MANAGERS

- **Motivate Teams, Individuals and Self**
- **Manage Staff Performance**
- **Promote and Celebrate Diversity**
- **Improve Service Delivery**
- **Manage Projects**
- **Promote Customer Focus**
- **Effective Communication and Engagement**
- **Solve Problems and Make Decisions**
- **Work with Partners and Members**

1. Motivate Teams, Individuals and Self

<p>We want Managers to motivate teams and individuals to achieve results and:-</p> <ul style="list-style-type: none">• provide direction and energy to achieve objectives• involve all staff in discussions by encouraging the sharing of ideas and opinions• build a sense of being valued and being part of a service which is exciting and worthwhile• regularly use “thank you” and “well done” in a genuine and sincere way• celebrate achievements• recognise the different motivators of their staff• show by example the importance of engaging in professional development• show trust, honesty and respect• give regular constructive feedback on performance• encourage and value contributions from team members• create time with staff for discussions about their performance and development	<p>We don't want Managers to:</p> <ul style="list-style-type: none">• fail to listen, support and involve staff• undervalue the importance of staff morale• show inconsistency and unfairness• ignore the importance of “work / life” balance• fail to generate commitment or excitement for a course of action
---	--

2. Manage Staff Performance

<p>We want Managers to encourage excellent performance and:-</p> <ul style="list-style-type: none">• articulate and demonstrate excellence within their Service• set and agree SMART objectives and performance standards• regularly monitor performance against targets• provide honest, truthful and timely feedback to teams and individuals on their performance• take appropriate action to resolve performance issues successfully• regularly identify development needs of staff in relation to present and future service delivery• enable development needs of staff to be met creatively• evaluate impact development of staff on the individual and the service• coach and mentor staff and other managers effectively• strive to uphold the principles of Investors in People• encourage staff to assess their own performance and identify any associated development needs	<p>We don't want Managers to:</p> <ul style="list-style-type: none">• fail to appraise staff• fail to address poor performance• ignore the development needs of staff
---	--

3. Promote Cohesion and Celebrate Diversity

<p>We want Managers to value diversity whilst encouraging integration and:-</p> <ul style="list-style-type: none"> • recognise the value of cultural, ethnic, gender and other individual differences • understand and promote policy on equal opportunities and diversity • challenge inappropriate behaviours, attitudes and practices • deal with people as individuals, treating them with fairness, dignity and respect • enable all diverse communities to make use of council services 	<p>We don't want Managers to:</p> <ul style="list-style-type: none"> • use bullying tactics • assume all people are the same • denigrate issues of equality and diversity
---	---

4. Improve Service Delivery

<p>We want Managers to encourage excellent service delivery and:-</p> <ul style="list-style-type: none"> • seek and make effective use of information to aid decision making • monitor, review and evaluate delivery of the service in relation to service standards and performance indicators • challenge current working practices • promote culture of continuously improving service delivery • consult with and encourage the opinions of others 	<p>We don't want Managers to:</p> <ul style="list-style-type: none"> • be complacent about the need to continually monitor, review and improve services • disregard opinions and ideas of others
--	---

- effectively plan and optimise the use of financial, human and other resources
- overcome challenges to deliver high quality transformational outcomes
- respond positively to findings of inspections and implement agreed actions

5. Manage Projects

We want Managers to ensure that all projects deliver corporate objectives and:-

- deliver transformational change through practical and visionary solutions
- contribute towards key strategic outcomes
- comply with the Council's approach to project management
- have a clear business case with planned resources and deliver measurable benefits
- rigorously review progress against objectives

We don't want Managers to:

- refuse to accept change
- allow things to drift
- allow funding opportunities to dictate the initiation or scope of projects
- ignore the Council's project management process

6. Promote Customer Focus

We want Managers to focus on the needs of our customers and:-

- know who their customers are and listen to them
- communicate service standards

We don't want Managers to:

- neglect to respond to customer needs
- fail to update their customer service skills

<ul style="list-style-type: none"> • respond to customer complaints and service requests with honesty and respect • treat the customer well • set an example of good customer service • evaluate customer service 	<ul style="list-style-type: none"> • adopt a negative attitude to customers
---	--

7. Effective Communication and Engagement

<p>We want Managers to:-</p> <ul style="list-style-type: none"> • use appropriate media to communicate to diverse audiences • convey written and verbal information in clear concise language • plan and deliver appropriate communications to stakeholders • actively listen and act accordingly • use appropriate non verbal behaviour • deliver an effective presentation • communicate vision, values, and performance targets in ways that are meaningful to team members and colleagues • actively seek out information important to the team and individuals. 	<p>We don't want Managers to:</p> <ul style="list-style-type: none"> • fail to listen and communicate • just agree for the sake of it • disregard writing in plain English (KIS principles) • be reluctant to share information, preferring to keep details to themselves • rely heavily on emails and report writing to communicate. • believe communication is one way and not encourage consultation, feedback or comment. • communicate only when provoked as a reactive process
---	--

	<ul style="list-style-type: none"> • concentrate on only one communications channel
--	--

8. Solve Problems and Make Decisions

<p>We want Managers to:-</p> <ul style="list-style-type: none"> • use a systematic approach to problem solving based on facts • collate and analyse information to arrive at timely and considered and informed decisions • apply creative solutions to problems • monitor and evaluate the effectiveness of their solutions • promote a sense of ownership by involving staff and stakeholders in decision making • be able to achieve strategic and business outcomes within a risk management framework • understand the governance and control framework in which they operate 	<p>We don't want Managers to:</p> <ul style="list-style-type: none"> • jump to conclusions • apply solutions without proper testing • excessively impose their ideas on others • make decisions on the basis of prejudice • constantly refer straight forward issues to their managers • make decisions without consideration of resources, legal, financial or other governance issues • ignore statutory and regulatory obligations
--	---

9. Work with Partners and Members

<p>We want Managers to:-</p> <ul style="list-style-type: none"> • work collaboratively across services and directorates to deliver corporate excellence • work collaboratively with external partners to deliver excellent service and win-win solutions • seek opportunities for partnership working at a local, regional, national and European level • clarify expectations, objectives and working arrangements of partnerships • contribute effectively to multi-partner projects • understand the democratic process within Leeds City Council and recognise the political accountability of Members • have a positive approach to informing and consulting Members to support them in their role • recognise the impact of Government and legislation on Council strategy and services • understand the respective roles of Members and Officers in Policy development & decision making 	<p>We don't want Managers to:</p> <ul style="list-style-type: none"> • overlook the benefits of cross directorate working • be unprepared to make corporate contributions when called upon • view partners as competition • disregard joint decisions and focus solely on their own agenda • fail to deliver on agreed actions • fail to work constructively with Councillors
---	--



Originator: Kate Feltham

Tel: 0113 39 51632

Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Results of Ethical Audit 2007 for Employees of Leeds City Council SO2 and below and identification of areas requiring improvement.

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to inform Members of the Committee of the results from the 2007 ethical audit that surveyed employees of Leeds City Council graded SO2 and below, and of the resulting action that is being taken to address the issues identified by the survey results.
2. Members of the Committee are asked to note the findings of the audit and the areas for development and improvement identified in the Action Plan attached as Appendix 2.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to advise Members of the Committee of the results of the 2007 second ethical audit and the areas where improvement can be made to the ethical governance framework that have been identified by the audit. A combined action plan has been created to identify the main areas requiring improvement as identified by both the 2006 and 2007 Ethical Audit, and to specify the action to be taken to implement those improvements.

2.0 Background Information

- 2.1 In October 2004 the Audit Commission concluded an assessment of the Council's ethical governance arrangements. This review was, in part, informed by a survey of Members and officers. The report recommended that repeat surveys be undertaken in the future to assess Members' and officers' understanding of the ethical governance arrangements in place within the Council and to establish whether and how much progress has been made.
- 2.2 A national online survey was then developed by the Audit Commission for Members and officers to complete, which Leeds City Council took part in during 2006-07. The action plan arising from these results was approved by the Standards Committee on 12th July 2007 and reports on the progress of the relevant actions have been considered by the Standards Committee.
- 2.3 A pilot study carried out at the time indicated that the national survey was not suitable for officers on grades SO2 and below and many of the questions were not at all relevant to them. Therefore a further locally devised survey was carried out in late 2007 to survey officers on grade SO2 and below.
- 2.4 The survey asked them their views on conduct in the Council and also tested their knowledge of the codes and protocols in place
- 2.5 The results have now been analysed and the areas for improvement have been identified.
- 2.6 A combined action plan has been created to identify the main areas requiring improvement as identified by both the 2006 and 2007 Ethical Audit, and to specify the action to be taken to implement those improvements.

3.0 Main Issues

Aims of the ethical audit survey

- 3.1 The use of resources section of the comprehensive performance assessment questions whether the Council has arrangements in place that are designed to promote and ensure probity and propriety in the conduct of its business.
- 3.2 In the future the Council will be assessed by the Comprehensive Area Assessment. The draft requirements of this scheme state that one of the criteria for assessment is as follows:

“2.3 Does the organisation promote and demonstrate the principles and values of good governance?”

KLOE focus, The organisation:

- has adopted, promotes and demonstrates, the principles of good governance;
- maintains focus on its purpose and vision;
- demonstrates a strong ethical framework and culture; and
- applies the principles and values of good governance to its partnership working.”

It is likely that this will be the criteria that the Council is assessed by under the CAA and assessing employees at all levels of seniority will assist the Council in identifying the issues we need to address in order to embed ethical behaviour further into the Council, thus contributing to an improved CAA result.

The ethical audit survey

- 3.3 An ethical audit was carried out in late 2007 to establish the level of awareness of the ethical framework amongst employees on grade SO2 and below. Some ‘key’ questions have remained the same as those asked in the first Audit Commission survey carried out in 2006 so that a comparison could be made between the two sets of results. The proposals for carrying out the survey were reported to the Standards Committee on 10th October 2007.
- 3.4 1057 employees were approached to take part from all 64 service areas. 466 replied giving a response rate of 44%.
- 3.5 A slightly higher proportion were selected from those service areas which are public facing e.g. customer services, and those who have a large amount of contact with elected Members e.g. planning and licensing officers.
- 3.6 This survey asked them their views on conduct in the Council and also tested their knowledge of the codes and protocols in place.

Results

- 3.7 The results from the survey have been analysed and a summary of the finding is attached as Appendix 1.

Areas for Improvement

- 3.8 The results have identified several areas of ethical awareness which require improvements.

3.9 **Officer Awareness**

- 3.9.1 The results of the survey showed that generally there was an issue with officer awareness of both the Members Code of Conduct and the Officers Code of Conduct. Over half the respondents did not know if they had, or thought that they had not, agreed to abide by the Officers Code of Conduct which forms part of the terms and conditions of the employment contract. There was also a lack of awareness of the Officers Register of Interest which all officers are required to complete. And also of the register of gifts and hospitality that officers are required to complete if they receive any gifts/hospitality.

- 3.9.2 Officer awareness of both the Members and Officers Code of Conduct was lower than that revealed by the first survey of more senior officers.
- 3.9.3 Officers who had little contact with members of the public were less aware of the Members code of conduct than those who had more contact.
- 3.9.4 The survey also identified that officers were unsure about how to report a potential breach of the members Code of Conduct. The survey identified that the majority would speak to their line managers if they had concerns about a Members behaviour . It was also identified that officers may go to their trade union representative in these circumstances.
- 3.9.5 The questions relating to officers perceptions of Members behaviour also indicated a possible lack of awareness of the role of Members amongst officers.
- 3.9.6 The work of Human Resources in establishing the Ethical Framework Training and Awareness programme should address the lack of awareness. Specifically there needs to be greater awareness of the Officers Code of Conduct and it's implications and the Officers register of Interest/register of gifts and hospitality as part of the Corporate Induction process. The requirement for training on specific areas relating to Corporate Governance needs to be identified through the PDP/Appraisal process and suitable training provided.
- 3.9.7 The HR training and awareness programme should also ensure that there is greater awareness of what to do if an officer has concerns about a Members behaviour. This could also provide information to officers on the role of Members.
- 3.9.8 Information on Governance Issues is also circulated by the Corporate Governance Team when appropriate by using different media such as the Council's Website, Governance Matters, Team Talk and About Leeds. Information on the new local assessment arrangements has been circulated in this way.
- 3.9.9 The Corporate Governance Team will also ensure that the Trade Unions are advised on the new local assessment arrangements in the event that officers approach them for advice.
- 3.9.10 The Corporate Governance Team have met with the Corporate Complaints Manager to produce guidance for officers dealing with corporate complaints on how the new Member Code of Conduct complaints system will work and how to recognise a Member Code of Conduct complaint and where it should be directed.

3.10 **Officer Understanding of the Role of Members and Member Engagement**

- 3.10.1 The results of the questions relating to officers experiences of and perceptions of Members indicate that there may be a lack of understanding amongst some officers of the role of Members in relation to decision making and resolving issues raised by their constituents. The number of officers that answered "don't know" to a number of the questions was also significantly higher than in the 2006 audit indicating that the officers on the

grades SO2 and below may have less awareness of the role of members and what it entails.

- 3.10.2 However some of the results indicate that there may be occasions when Members are not aware of the requirements of the Code of Conduct and the Member Officer Protocol in relation to their contact with officers.
- 3.10.3 The ongoing training on the Code of Conduct provided to members through Member Development services, assists with ensuring members are kept informed as to the requirements of the Codes and Protocols that they should follow. New members are trained on these when they are elected.
- 3.10.4 Information about the role of Members and the requirement to comply with the Member Officer Protocol will be included as part of the Corporate Induction process for Officers.
- 3.10.5 Added to which a Member Engagement Working Group has been established, chaired by the Assistant Chief Executive (Corporate Governance), to look at ways in which ;
- Members can be better consulted/engaged in decision making
 - The role of Members within the Local Authority can be better communicated and understood by officers.
- 3.10.6 The Good to Great leadership challenge also requires the promotion of a positive and respectful relationship between Members and Officers as part of the Council's Aspirational Culture.

- 3.11 The issues identified by the 2007 Ethical Audit are similar to those identified by the 2006 Ethical Audit. The work which was carried out or is being undertaken in relation to the 2006 Ethical Audit should go towards addressing the areas that still require improvement identified above.
- 3.12 As a result of identifying that the areas of improvement identified by the 2007 Ethical Audit were broadly similar to those identified by the 2006 Ethical Audit, a combined action plan has been created to identify the main areas requiring improvement and to specify the action to be taken to implement those improvements. The plan also identifies the Actions that have been completed following the first Ethical Audit and is shown attached at Appendix 2.

4.0 Implications For Council Policy And Governance

- 4.1 Identifying areas where there is a need for an improvement to awareness of governance and standards issues will assist in improving the governance arrangements.
- 4.2 Ensuring good ethical behaviour within the Council and that the processes are fit for purpose, also complies with the principles of the Code of Corporate Governance and the Committee's Terms of Reference.

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to the creation of the action plan.

5.2 Completion of the areas for improvement may require the prioritisation of resources by services in order to ensure that work is carried out where it is identified there is a development need.

6.0 Conclusions

6.1 An ethical audit survey was sent to a sample of officers on Scale SO2 or below in 2007 to survey the views on conduct in the Council and also to test the knowledge of the codes and protocols in place.

6.2 The results of that survey have been analysed and the areas for improvement have been identified. These are identified above and link to work already being carried out as a result of the 2006 Ethical Audit.

7.0 Recommendations

7.1 Members of the Committee are asked to note the findings of the audit and the areas for development and improvement.

Background documents

Full results and analysis of the 2007 Ethical Audit.

Ethical Audit Action Plan from 2006 Ethical Audit

Ethical Audit 2007 – Summary of Findings

Issue Identified
Codes and Protocols
A high proportion of people are unaware of the Members' Code of Conduct (58%).
A significant proportion of people (43%) don't know that the Council has adopted the Code of Conduct for officers, and 1% are confident that the Council has not. 7% of people think they have not agreed to abide by the Officer Code, and 46% did not know.
87% of people don't know how to report a potential breach of the Members' Code of Conduct.
Staff within Customer Services had poor knowledge of these processes.
58% of people believe that the Council's approach to high ethical standards is encouraging appropriate behaviour across the Council, and only 7% disagree.
42% of people believe that the Council's approach to high ethical standards is building public confidence in local democracy, 10% disagree.
1% said they would do nothing about a potential breach of the Members' Code of Conduct and 46% were unsure whether they would do nothing.
30% of officers said they would approach their trade union representative for advice if they had concerns about the behaviour of a Councillor, and 79% would approach their line manager.
There is uncertainty about who to contact regarding concerns about the officer code of conduct. However 70% of people would speak to their line manager, 43% would contact Human Resources, and 31% would speak to their trade union representative.
Register of Interests
30% of people are unclear what a conflict of interest is.
66% of officers are aware that there is a register of interests kept for Members to record interests and gifts and hospitality, less than 1% disagree, and the remaining 34% don't know.
34% of officers don't know there is a register of interests for officers, and 1% are sure there is not.
37% of officers don't know there is register of gifts for officers, and 1% are sure there is not.
Standards Committee
57% of people do not know there is a Standards Committee within the Council, and 1% are sure there is not. 74% of people don't know whether the work of the Standards Committee adds value to the Council, and 1% think that it does not.

Whistle blowing Policy
There is low awareness of the whistle blowing policy and how to use it. There is also an element of dissatisfaction with the policy, for example, officers feeling victimised for having used it.
Training on Legislation
The results show that there is a lack of consistency regarding which officers have been trained on specific legislation, however this may be due to the different needs of the departments and officers.
Relationship between Members and Officers
The overall results show that 4% of respondents believe Councillors are always a focus for positive change, 18% think they usually are, 41% sometimes, 7% rarely, 2% never and 29% don't know.
The overall results show that 2% of respondents believe that Councillors always stay out of operational issues, 14% say they usually do, 32% say they sometimes do, 9% say they rarely do, and 3% say they never do. The remaining 39% don't know whether Councillors interfere in operational issues or not.
The overall results show that 3% of respondents believe that Councillors always listen to the advice of officers, 19% think they usually listen, 28% say sometimes, 8% say rarely, less than one per cent say never, and the remaining 42% don't know.
The overall results show that 3% of respondents believe that Councillors always avoid involving officers inappropriately in party political issues. 13% say they usually do, 10% sometimes, 7% rarely, 4% say never, and the remaining 63% don't know.
The overall results show that 8% of respondents believe Councillors always show respect to officers, 37% think they usually do, 5% sometimes, less than 1% rarely or never and the remaining 28% don't know
The overall results show that only 7% of respondents believe that Councillors always show respect to other Councillors, 24% think they usually do, 17% sometimes, 3% rarely and the remaining 49% don't know.
The overall results show that 14% of respondents believe that Councillors always show respect to people who use Council services, 33% believe they usually do, 13% sometimes, 2% rarely and less than one per cent say never. The remaining 39% don't know.
The overall results show that 11% of respondents believe that Councillors always treat Council service users fairly and do not discriminate, 27% think they usually do, nine per cent say sometimes, one per cent believe they rarely do, and the remaining 52% don't know. In addition, one respondent replied that Councillors never treat Council service users fairly.
The overall results show that 12% of respondents believe that Councillor always treat officers fairly and do not discriminate unlawfully, 24% say that they usually do, 9% sometimes, 2% rarely and the remaining 52% don't know.
The overall results show that 10% of respondents believe that Councillors always treat other Councillors fairly and don't discriminate unlawfully, 25% think they usually do, 9% say sometimes, and the remaining 55% don't know.

<p>The overall results show that only 8% of respondents believe that Councillors perform their duties with honesty, integrity, impartiality and objectivity, 27% believe they usually do, 16% say they sometimes do, 3% rarely, 1% never, and 45% don't know. Of particular concern is that fact that respondents seem more sure about this question than the preceding ones, and the answers are more negative.</p>
<p>Only 8% of respondents feel that Councillor always use Council funds and property responsibly, 26% say they usually do, 14% say sometimes, three per cent rarely, one per cent never, and the remaining 48% don't know.</p>
<p>The overall results show that 29% of respondents believe that officers 'always' show respect to Councillors, 37% believe they 'usually' do and 5% think they 'sometimes' do. Less than 1% think that officers 'rarely' or 'never' show respect to Councillors, and the remaining 28% don't know.</p>
<p>The overall results show that 29% of respondents believe that officers always treat Council service users fairly and do not discriminate unlawfully. 38% of respondents believe they usually do, and 4% say they sometimes do. Only 28% don't know.</p>
<p>The overall results show that 30% of respondents believe that officers treat all Councillors fairly, 33% believe they usually do, 4% sometimes, and 32% don't know.</p>
<p>Communication</p>
<p>67% of officers believe that the importance of high standards of behaviour amongst officers is communicated widely, 13% say it is not, and 20% don't know.</p>
<p>Only 29% of officers believe that communication between Members and officers is always or usually open, 18% say sometimes, 1% rarely, 1% never and 47% don't know.</p> <p>30% of officers believe that communication between Members and officers is always or usually constructive, 22% say sometimes, 2% rarely, 1% never and 47% don't know.</p>
<p>Public Access to Information</p>
<p>18% of officers agree that the public can easily access the Members' Code of Conduct, 4% disagree and 78% don't know.</p> <p>15% of officers agree that the public can easily access the Members' register of interests, 5% disagree and 81% don't know.</p> <p>29% of officers agree that the public can easily access documents relating to Committee meetings, 7% disagree and 65% don't know.</p>
<p>Decision making and governance</p>
<p>23% of officers agree that Councillor and officers trust each other, 15% of officers think that Councillors and officers do not trust each other, and 62% don't know.</p>
<p>32% agree and 3% disagree that Councillors can carry out their duties without fear of being bullied, intimidated or harassed, and 66% don't know.</p>
<p>23% disagree that officers can carry out their duties without fear of being bullied, intimidated or harassed, and 48% don't know.</p>
<p>49% of officers agree that decision making is done properly by officers, 8% disagree and 43% don't know.</p>
<p>63% of officers believe that officers are accountable for their decisions, 7% disagree and 30% don't know.</p>

<p>28% of officers agree there is easy access to information on whom has taken particular decisions at the Council, for example through Committee minutes and delegated decision forms, 9% disagree and 64% don't know.</p>
<p>33% of officers agree that Councillors are able to challenge decisions without fear of reprisal, 2% disagree, and 65% don't know. However only 17% agree that officers are able to challenge Councillors' decisions without fear of reprisal and 18% disagreed.</p>
<p>36% of officers agree that the public are able to challenge decisions without fear of reprisal, 6% disagree and 58% don't know.</p>
<p>Making Complaints</p>
<p>39% of officers think that the complaints system in the Council is clear, 8% disagree and 52% don't know.</p>
<p>56% agree that Councillors take complaints from the public seriously, 6% disagree and 38% don't know.</p> <p>31% of officers agree that Councillors respond positively to external criticism about the Council, 11% disagree and 58% don't know.</p>
<p>11% of officers feel that they are unable to refer a complaint about a Councillor's behaviour without fear of reprisal, and 65% don't know.</p>
<p>Council's Goals</p>
<p>38% of officers agree that Councillors and officers work well together to achieve the Council's common goals, 10% disagree and 52% don't know.</p> <p>51% of officers agree that the Council works well with voluntary and community groups to achieve the areas common goals, 4% disagree and 46% don't know.</p>

**COMBINED ACTION PLAN
2006 AND 2007 Ethical Audit**

Main Themes of Survey findings	Actions required to deal with the main themes	Specific Action	Progress
<p>Both the 2006 surveys and 2007 surveys found that was a general lack of awareness amongst Members and officers about the:</p> <ul style="list-style-type: none"> • Members Code of Conduct • Officers Code of Conduct • The Protocol for Member Officer Relations • Members Register of interests • Officers Register of Interests • Processes for reporting breaches of the Members Code of Conduct • Processes for reporting breaches of the Officer Code of Conduct • Related legislation such as Human Rights, Freedom of Information, Data Protection, Equalities. 	<p>1. Improving Members awareness of the existence and content of the Ethical Governance Framework and in particular the relevant Codes and Protocols.</p>	<p>Training plan for members in relation to Members Code of Conduct to be prepared by Principal Corporate Governance Officer by start of 07/08 municipal year. Reported to 12th July 2007 Standards Committee.</p> <p>Training on New Members Code of Conduct delivered to nearly all Members in 2007/2008 Municipal Year.</p> <p>Training of all new Members as part of the Induction Process</p> <p>The Member Development Group have issued legislation guides to all Members. The Member Development Group considered the requirements for further training for Members on the Related legislation such as Human Rights, Freedom of Information, Data Protection, Equalities and this has been provided for in the Member training Programme prepared by Member Development.</p> <p>Annual Update training provided to the Members of the Regulatory Committees on relevant governance issues. (Principal Corporate Governance Officer and Legal Services)</p> <p>Members acceptance of office process to be reviewed by Chief Democratic Services Officer by start of 07/08 municipal year to ensure sufficient weight is placed on the importance of the Members code of Conduct. Reported to Standards Committee 12th July 2007 as part of the report on the Members Induction Process 2007/2008.</p>	<p>Complete.</p> <p>Complete</p> <p>Complete for 2008/2009 and ongoing when required</p> <p>Complete</p> <p>Complete and ongoing when required</p> <p>Complete.</p>

**COMBINED ACTION PLAN
2006 AND 2007 Ethical Audit**

Main Themes of Survey findings	Actions required to deal with the main themes	Specific Action	Progress
		<p>Governance Services to continue sending an aide memoir to Members of identified committees to assist them in identifying personal and prejudicial interests and making appropriate declarations.</p>	<p>Complete</p>
		<p>The <i>Assistant Chief Executive (Corporate Governance)</i> will report to Standards Committee when information is made available by the Dept for Communities and Local Government on a new Officer Code of Conduct.</p>	<p>OUTSTANDING as information from DCLG not available yet.</p>
		<p>Corporate Communications Team to create Standards Committee Communication Plan to publicise the work of the Committee. This was reported to 10th October meeting of Standards Committee and is reviewed annually.</p>	<p>Complete</p>
	<p>2. Improving Officers awareness of the existence and content of the Ethical Governance Framework and in particular the relevant Codes and Protocols</p>	<p>Corporate Communications team considered impact and relevance of ethical framework on Council values and to ensure that the communications plan in relation to the values included an appropriate reference to the ethical framework. Head of Corporate Communications reported this to 10th October 2007 meeting of Standards Committee.</p>	<p>Complete</p>

**COMBINED ACTION PLAN
2006 AND 2007 Ethical Audit**

Main Themes of Survey findings	Actions required to deal with the main themes	Specific Action	Progress
		<p>Corporate Human Resources are carrying out work which includes an ethical framework training and awareness programme for officers with input from Corporate Governance Team.</p> <p>The Ethical Framework Training and Awareness programme to include :</p> <ul style="list-style-type: none"> • Preparation of a briefing on the Ethical Framework for presentation to Departmental Management Teams. • Reference to the Codes and Protocols relating to conduct to be included within the induction process for all officers. • Ethical Governance to be an identifiable training need in the Personal Development Plan. • Consideration of the inclusion of an Ethical Governance Module within the Council Training Programme, consider making this compulsory for identified groups of officers. • Training of officers on legislation such as Human Rights, Freedom of Information, Data Protection, Equalities needs to be identified through the PDP/appraisal process. • Corporate Human Resources to ensure that development of key competencies and behaviours for managers includes appropriate reference to ethical framework. Head of Human Resources Strategy to report to Standards Committee. 	<p>In progress</p> <p>Development and delivery of the programme by Human Resources is an ongoing matter</p> <p>And has been reported to the Standards Committee on a regular basis.</p> <p>The current progress is being reported to the Standards Committee on 16th October 2008.</p>

**COMBINED ACTION PLAN
2006 AND 2007 Ethical Audit**

Main Themes of Survey findings	Actions required to deal with the main themes	Specific Action	Progress
		<p>Corporate Governance Team to meet with Head of Corporate Complaints to ensure information is provided to Call Centre staff about how to identify a Code of Conduct complaint and what to do with any Code of Conduct complaints that are received.</p> <p>Information about the local assessment process to be made available to officers via Governance Matters, Team Talk, About Leeds and on the Councils website.</p>	<p>Complete</p> <p>Information is on the Council's Website and has featured in "About Leeds" and has been circulated in lieu of the summer edition of Governance Matters. Information is to be included in Team Talk in due course.</p>
		<p>Information about the local assessment process to be made available to officers within Governance services via an Officer Training Seminar.</p> <p>The Corporate Governance Team reviewed and changed the distribution of Governance Matters to all officers in Legal Services and Democratic Services, to all Directors and all Chief Officers. Officers are requested to circulate the newsletter as appropriate.</p>	<p>To take place on 7th October 2008</p> <p>Complete</p>

**COMBINED ACTION PLAN
2006 AND 2007 Ethical Audit**

Main Themes of Survey findings	Actions required to deal with the main themes	Specific Action	Progress
		<p>Use of various council publications for wide spread publication and advertisement of one off messages relating to Ethical Governance</p> <p>Head of Corporate Communications to report to 10th October meeting of Standards Committee in relation to the use of Team Talker and Intranet Log in Pages for raising awareness of the Ethical Agenda.</p>	Complete
		Corporate Governance Team to offer appropriate training on new Member code of conduct to Corporate Governance Staff (Legal and Governance Services) involved in the committee process within 2 months of publication of new Model Code.	Complete Ongoing training offered when requested
		Training on decision making processes within the Council is currently provided and training for officers taking delegated decisions can be provided by officers within Governance Services (Council and Executive Support Team) on request.	Complete Ongoing training offered when requested
		The Officers register of Interests is now being administered by the Business Support Centre who are carrying out a full review of the arrangements for it's maintenance.	Complete
		The Corporate Governance Team will brief the Trade Unions on the new local assessment process.	OUTSTANDING
		Corporate Human Resources to liaise with Corporate Governance Team in relation to additional areas for questioning within staff survey in 2007/08 municipal year	OUTSTANDING

**COMBINED ACTION PLAN
2006 AND 2007 Ethical Audit**

Main Themes of Survey findings	Actions required to deal with the main themes	Specific Action	Progress
<p>Officer Understanding of the Role of Members and Member Engagement</p> <p>The results of the questions relating to officers experiences of and perceptions of Members indicate that there may be a lack of understanding amongst some officers of the role of Members in relation to decision making and resolving issues raised by their constituents.</p> <p>The number of officers that answered “don’t know” to a number of the questions was also significantly higher in the 2006 audit than in the 2007 audit indicating that officers on the grades SO2 and below may have less awareness of the role of members and members are supposed to be doing.</p> <p>However some of the results</p>		<p>A Member Engagement Working group has been established, chaired by the Assistant Chief Executive (Corporate Governance), to look at ways in which ;</p> <ul style="list-style-type: none"> • Members can be better consulted/engaged in decision making • The role of Members within the Local Authority can be better communicated and understood by officers. <p>The ongoing training on the Code of Conduct provided to members through Member Development services assists with ensuring members are informed as to the requirements of the Codes and Protocols that they should follow. This training is also offered to all new Members when they are elected.</p> <p>Information about the role of Members and the requirement to comply with the Member Officer Protocol will be included as part of the Corporate Induction process for Officers.</p>	<p>In Progress</p> <p>Complete and ongoing when requested</p> <p>In progress as part of the HR training and awareness programme</p>

COMBINED ACTION PLAN
2006 AND 2007 Ethical Audit

Main Themes of Survey findings	Actions required to deal with the main themes	Specific Action	Progress
<p>indicate that there may be occasions when Members are not aware of the requirements of the Code of Conduct and the Member Officer Protocol in relation to their contact with officers.</p>		<p>The Good to Great leadership challenge also requires the promotion of a positive and respectful relationship between Members and Officers as part of the Council's Aspirational Culture.</p>	<p>Ongoing</p>

This page is intentionally left blank



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Standards Board for England Annual Review 2007- 08

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to outline the contents of the Standards Board for England's Annual Review for 2007-08. The review highlights the changing role of the Standards Board, the new responsibilities of local authorities, and the work the Standards Board has undertaken during the year to allow the new system to be realised.
2. The Annual Review summaries the Standards Board's main achievements for the year April 2007 – March 2008, and what they see as their challenges for next year.
3. Copies of the Annual Review have been provided to the Leader of the Council, the Chief Executive, the Monitoring Officer and the Chair of the Standards Committee for information.
4. Members of the Standards Committee are recommended to note the information in this report.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to outline the contents of the Standards Board for England's Annual Review for 2007-08. The review highlights the changing role of the Standards Board, the new responsibilities of local authorities, and the work the Standards Board has undertaken during the year to allow the new system to be realised.

2.0 Background Information

- 2.1 The Standards Board believes its key achievements for the year have been:
- The publication of key advice on the implications of the revised Code of Conduct;
 - Ensuring that 99% of Monitoring Officers and 90% of standards committee Members knew about the new Code before its adoption date of 1st October 2007;
 - Attendance of more than 1000 people at the road shows which explained both the new Code and the new local framework;
 - A successful Annual Assembly in October 2007, with good feedback from delegates;
 - The completion of local pilots designed to explore and shape the new local assessment framework;
 - Research results show an increase from 27% to 44% of Members who think that standards of behaviour have improved in recent times;
 - Two out of three stakeholders now consider that the Standards Board's published information and guidance communicates key messages 'very or fairly well';
 - 90% of allegations received by the Standards Board were acknowledged within two working days;
 - Average time taken from receipt of an allegation to notification was ten working days; and
 - Completing 96% of cases referred for investigation within six months.
- 2.2 The Standards Board sees its challenges for the year 2008-09 to be:
- Ensuring that standards committees and Monitoring Officers are confident in their roles and system is operated efficiently at the local level;
 - To provide guidance and information on the management of cases and to highlight good practice; and
 - To offer a light touch when monitoring performance.
- 2.3 A copy of the Standards Board Annual Review 2007-08 has been sent to the Leader of the Council, the Chief Executive, and the Chair of the Standards Committee for their information. Copies of the Annual Review are available on request from the report author or can be accessed on the Standards Board website at <http://www.standardsboard.gov.uk/Publications/AnnualReviewandReport/>

3.0 Main Issues

- 3.1 The Standards Board's Annual Review has been split into four subject areas: working together, succeeding together; growing into our new role; clear lines of communication; and spreading the word.

Working together, succeeding together

- 3.2 Over the course of 2007-08 the Standards Board created a series of pilots designed to provide an overview of how the new system might work in practice. The Local Assessment of Complaints Pilot involved 38 local authority Standards Committees (including Leeds City Council) considering 12 real, but anonymised, complaints including two review cases and deciding whether to refer these cases for investigation or other action, or to refer them to the Standards Board.
- 3.3 Out of the ten assessment cases, on average standards committees referred six allegations, whereas the Standards Board's average is only three out of ten. However local authorities have the option to refer allegations for other action, whereas the Standards Board do not. 76% of the decisions taken by standards committees were reached by consensus, although in 13% of cases they considered they had difficulty reaching a decision.
- 3.4 The second pilot looked at joint arrangements between standards committees. The pilot offered four different types of working structures, and received mixed responses from participants. A third pilot looked at the online monitoring and returns system used by the Standards Board.
- 3.5 During all three pilots the Standards Board asked Monitoring Officers what they would recommend to help local assessment work in their authority. Almost half said they would increase the frequency of Standards Committee meetings, 40% would consider increasing the size of the Standards Committee, and 33% said they needed more Independent Members.
- 3.6 During the past year, the Standards Board received 3,547 allegations and decided to refer 524 for investigation (285 for investigation by Monitoring Officers). Following investigations by Ethical Standards Officers, eight cases were sent to the Adjudication Panel for determination, and 15 were sent to standards committees.

Growing into their new role

- 3.7 The Standards Board's new role is to ensure that the local framework is a success by helping and supporting local authorities and taking the independent, national overview important for maintaining public confidence. However the Standards Board will continue to investigate the cases which cannot be considered locally for whatever reason, and to provide general advice on case handling and governance issues.
- 3.8 The Standards Board outline that the monitoring system ensures that the system as a whole is fair, to both complainants and subject Members. It will also assist the Standards Board with identifying standards committees, Monitoring Officers and authorities which are experiencing problems and to identify areas where individual support or general guidance are needed.

Clear lines of communication

- 3.9 In June 2007 representatives from the Standards Board travelled around England for a series of workshops designed to inform Members about the forthcoming changes and how they would be affected by them. One of these was held in Leeds and was attended by Members of the Standards Committee, as well as the

Monitoring Officer. Overall, more than a thousand standards committee members and Monitoring Officers attended the workshops.

- 3.10 Total net satisfaction with the published information and guidance provided by the Standards Board has also increased. The proportion satisfied minus the proportion dissatisfied was +43% in 2007 (compared to +36% in 2004).

Spreading the word

- 3.11 The Standards Board has held and attended several successful conferences throughout the year. The Annual Assembly “Down to Detail: Making local regulation work” was very popular, and 97% of delegates said they were satisfied with the event. The Standards Board also attended the annual conference of the Local Government Association and the three major political party conferences in 2007.
- 3.12 The Standards Board has also engaged in a number of partnerships during the last year, including:
- Working with the Audit Commission to ensure that standards issues are incorporated into comprehensive area assessments and to look at issues such as proportionate regulation and information sharing;
 - Working with the Planning Advisory Service to ensure that its guidance is consistent with the Code of Conduct; and
 - Working with the Improvement and Development Agency for local government to look at to the extent to which partnerships work along ethical lines. Partnerships need to be implemented and managed ethically and the Standards Board is keen to promote appropriate behaviours and real accountability in all partnerships entered into by local authorities.

4.0 Implications For Council Policy And Governance

- 4.1 It is part of the Standards Committee Terms of Reference to make representations to and to liaise with external agencies about any matter relating to general principles of conduct or codes and protocols. It is therefore important that the Standards Committee ensure they are familiar with the role and work of the Standards Board for England.

5.0 Legal And Resource Implications

- 5.1 There are no legal or resource implications to this report.

6.0 Conclusions

- 6.1 The Annual Review summaries the Standards Board’s main achievements for the year April 2007 – March 2008, and what they see as their challenges for next year.
- 6.2 Copies of the Annual Review have been provided to the Leader of the Council, the Chief Executive, the Monitoring Officer and the Chair of the Standards Committee for information.

7.0 Recommendations

- 7.1 Members of the Standards Committee are recommended to note the information in this report.

Background documents referred to in this report

Standards Board for England Annual Review 2007-08 available at
<http://www.standardsboard.gov.uk/Publications/AnnualReviewandReport/>

This page is intentionally left blank



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Complaints received by the Standards Board for England from 1st October 2007 – 9th May 2008

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to advise the Committee of the number of complaints referred to the Standards Board for England in relation to Members of Leeds City Council and local Parish or Town Councillors within the area, under the Member's Code of Conduct. It also details the outcome of those complaints, in the period 1st October 2007 to the commencement of the new local arrangements on 9th May 2008.
2. There do not appear to be any trends within the statistics which identify problem areas for improvement and further training.
3. In this period, the majority of complaints were rejected by the Standards Board as not being serious enough to warrant further investigation or not being connected with the Code of Conduct.
4. Members of the Standards Committee are asked to note the contents of this report.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to advise the Committee of the number of complaints referred to the Standards Board for England in relation to Members of Leeds City Council and local Parish or Town Councillors within the area, under the Member's Code of Conduct. It also details the outcome of those complaints, in the period 1st October 2007 to the commencement of the new local arrangements on 9th May 2008.

2.0 Background Information

- 2.1 At its meeting on 27th April 2004, the Standards Committee asked for such information to be provided to Members every six months.
- 2.2 Following the implementation of the new local arrangements these reports will be replaced by regular reports detailing the decisions made by the Assessment and Review Sub-Committees, and any lessons learned from these cases.

3.0 Main Issues

Parish and Town Councillors

- 3.1 Leeds City Council has received notification of three complaints referred to the Standards Board for England regarding Parish or Town Councillors within the Leeds Metropolitan District for this period.

3.1.1 Complaint 1

It was alleged that a Parish Councillors had breached the Members' Code of Conduct by improperly using their position by attending a local resident's meeting with an Environmental Health Officer from Leeds City Council. It was further alleged that the Chairman of the Parish Council had breached the Members' Code of Conduct by failing to investigate the matter.

The Standards Board for England considered that there was no potential breach of the Code of Conduct disclosed in the complaint, and decided **not to refer to matter for investigation.**

3.1.2 Complaint 2

It was alleged that a Parish Councillor had breached the Members' Code of Conduct by failing to declare that she had received some free stone to carve statues from Woodkirk Stone Action Group. The complainant claimed that the Councillor attends the meetings when it suits her and has commented in a press article about the stone.

The Standards Board for England considered that the stone was provided to the community in order to erect a statue outside the Town Hall. Therefore there was no potential breach of the Members' Code of Conduct disclosed by the complaint, and the Standards Board decided **not to refer the matter for investigation.**

3.1.3 Complaint 3

It was alleged that a Parish Councillor (who is also a Leeds City Councillor) had breached the Members' Code of Conduct by making derogatory remarks about the complainant during Leeds City Council Executive Board meetings, and at Rein Road Association Meetings.

The complainant further alleged that the Councillor treated him differently to other residents, cut him off whilst speaking at the public meeting, and did not invite him to the meeting.

The Standards Board for England considered that as the Rein Road Association meetings were public meetings, which the Parish Councillor had attended as a local resident, the Parish Councillor was not acting in an official capacity whilst at those meetings. Therefore there was no potential breach of the Members' Code of Conduct disclosed in the complaint, and the Standards Board decided **not to refer the matter for investigation**.

Leeds City Councillors

- 3.2 Leeds City Council has received notification of 12 complaints referred to the Standards Board for England against Leeds City Councillors for this period.

Matters where the decision was not to investigate

3.2.1 Complaint 1

It was alleged that one Leeds City Councillor had failed to treat the complainant with respect by failing to deal with a refuse collection issue. The complainant alleges that he lost the use of his driveway for a few weeks and was forced to place his rubbish on the road. The complainant further alleges that when he contacted the Councillor about the issue he was told to "move it yourself" and "get another Councillor to help you".

The complainant alleges that when he contacted a second Leeds City Councillor about the issue, the Councillor was rude to him over the telephone and did not respond to messages. The complainant then contacted a third Councillor in order to get an apology for his treatment, but he alleges that this third Councillor also breached the Members' Code of Conduct by failing to instruct the second Councillor to apologise for his conduct.

Finally, the complainant alleges that all three Councillors colluded to ensure that the Council was obstructive to him when attempting to access information he was entitled to.

The Standards Board for England understands that Councillors have no obligation to respond to each and every request for advice and assistance, and that Members cannot reasonably be held responsible for the alleged conduct of others. The Standards Board also considered that there was no evidence that the complainant had been treated any less favourably by the Council, or that the Councillors were involved in any action taken against the complainant by the Council as a whole. Therefore the Standards Board decided **not to refer the matter for investigation**.

3.2.2 Complaint 2

It was alleged that a Councillor made an inaccurate statement during a Council meeting in which he accused the complainant of announcing the closure of a community centre and telling staff and service users that they would have to leave. The complainant alleges that the statement was disrespectful to the complainant and brought the Council into disrepute.

The Standards Board for England understands that they have no jurisdiction over the accuracy of statements made at meetings. They also considered that there was no evidence that the Councillor had deliberately attempted to mislead people. Although being critical of a member of the public who has no right to reply may be potentially disrespectful, the Standards Board concluded that the matter was not serious enough to warrant investigation. Therefore the Standards Board decided **not to refer the matter for investigation.**

3.2.3 Complaint 3

It was alleged that a Councillor (whilst acting as Chair of Lewisham Court Resident's Meeting) asked the complainant to leave. The complainant was a Parish Councillor who was attending the meeting on behalf of her husband who was another Leeds City Councillor.

The complainant alleges that the Councillor abused her position as Chair of the meeting in order to exclude her, treated her with disrespect, and brought the Council into disrepute.

The Standards Board for England understand that they have no jurisdiction over the rules of conduct for local authority meetings. They considered that although the alleged conduct had the potential to be disrespectful, it was not serious enough to warrant investigation. Therefore the Standards Board decided not to refer the matter for investigation.

3.2.4 Complaint 4

It was alleged that a Councillor breached the Members' Code of Conduct by asking the complainant not to attend his ward surgery again.

The Standards Board for England understand that Councillors are under no obligation to respond to each and every request for advice and assistance. They considered that as there was no potential breach of the Members' Code of Conduct disclosed in the complaint, **the matter should not be referred for investigation.**

3.2.5 Complaint 5

The complainant (an employee of an estate agency and surveyor) made a complaint relating to correspondence that the company had had with local councillors regarding traffic issues. The complainant alleged that the Councillor contacted her by telephone in response to her correspondence and was "extremely rude, abrupt and unsympathetic" about the problem. The complainant further alleged that his "rudeness and attitude throughout...was totally unexpected and disturbing".

The Standards Board for England took account of the fact that Members are required to treat others with respect and Members should, as far as possible, treat the public courteously and with consideration. The alleged conduct of the Councillor towards the complainant may have disclosed a potential failure to comply with this part of the Code of Conduct. However the Standards Board for England decided **not to refer the allegation for investigation**, as having taken account of the available information they did not believe that the alleged conduct was serious enough to justify an investigation.

3.2.6 Complaint 6

It was alleged that a Councillor failed to treat the complainant (another Leeds City Councillor) with respect at a Scrutiny Chair's and Executive Board meeting. The complainant alleges that the Councillor refused to answer her question and told her to "shut up and keep quiet". The complainant also alleges that the Councillor accused her of acting outrageously and stated "I don't have to be here, I don't need this, I could be elsewhere" before shouting either "fuck you" or "fuck this" at the complainant and leaving the meeting.

The Standards Board for England considered that this exchange was part of a heated debate between two Councillors, and although the alleged conduct was potentially inappropriate and unprofessional, such conduct is unlikely to be referred unless the complaint demonstrates clear and excessive abuse of a person. The Standards Board decided **not to refer the matter for investigation**.

3.2.7 Complaint 7

It was alleged that a Councillor had conducted a smear campaign against the complainant and the political party he represents.

The Standards Board for England considered that although the Councillor's comments were robust, it was unclear what capacity the Councillor was acting in when he made the comments, and it seemed likely that he had made the comments in his private life. They also considered that the comments had been reported third hand by a source who was already displeased with the Council. Finally, they considered that the complainant was standing for election as a political candidate and such behaviour was part of political life. The Standards Board therefore decided **not to refer the matter for investigation**.

3.2.8 Complaint 8

It was alleged that three ward Councillors produced a flyer for a free bus service on New Year's Day. The complainant alleges that as the company also provide Leeds City Council with vehicles, the three Councillors may have a prejudicial interest when the Council is awarding contracts for transport.

The Standards Board for England considered that the complainant had provided no information to support their claim that the Councillors had a

prejudicial interest relating to the bus company. The Standards Board concluded that there was no potential breach of the Code of Conduct disclosed by the complaint, and therefore decided **not to refer the matter for investigation.**

3.2.9 Complaint 9

The complainant alleged that he asked a Councillor to meet with him to discuss concerns about Council officers who he believed were discriminating against his group. The complainant alleges that the Councillor did not address his concerns and therefore was also discriminating against them.

The Standards Board for England understand that Councillors are under no obligation to respond to each and every request for advice and assistance. As there was no potential breach of the Code of Conduct disclosed by the complaint, the Standards Board decided **not to refer the matter for investigation.**

3.2.10 Complaint 10

It was alleged that a Councillor sent a misleading letter to a local newspaper responding to the complainant's letter about the local leisure centre.

It was further alleged that the comments made in the letter were untrue and of a personal nature regarding the complainant.

The Standards Board for England considered that Members are entitled to publicly express their views, and as there was no potential breach of the Code of Conduct disclosed by the complaint, they decided **not to refer the matter for investigation.**

3.2.11 Complaint 11

It was alleged that a Councillor had questioned the complainant on why it had taken so long for some information to be provided to the Overview and Scrutiny Committee. The complainant answered that the information had been provided some months ago, but the Councillor disputed this, stating "that is not the case". Following the Committee meeting, the complainant sent a letter to the Councillor enclosing a copy of the information and a covering letter dated several months previously including the information, and invited the Councillor to withdraw his comments. The complainant alleges that the Councillor failed to do so in his response. The complainant alleges that the Councillor's behaviour was disrespectful, and that it undermined his position in front of other senior officers who were present at the meeting.

The Standards Board for England took account of the fact that Councillors need to take care when criticising individual officers at Council meetings, especially where those officers do not have an automatic right to respond to such criticism. It was noted that the Councillor may have refused a polite request to withdraw his comments when the evidence was provided to him, which could be potentially disrespectful behaviour. However, the

complainant did have the opportunity to respond to the Councillor's comments at the meeting and no overtly derogatory language was used. The Standards Board decided **not to refer the allegation for investigation** as they did not believe that the alleged conduct was serious enough to justify an investigation.

Matters where the decision was to refer the complaint for investigation

3.2.12 Complaint 12

This complaint has been referred by the Ethical Standards Officer to the Council's Monitoring Officer for further investigation.

The complaint was made to the Standards Board for England on 19th December 2007. It was alleged that the Councillor had acted unreasonably and therefore breached the Members' Code of Conduct. The complaint was referred for local investigation by the Standards Board for England.

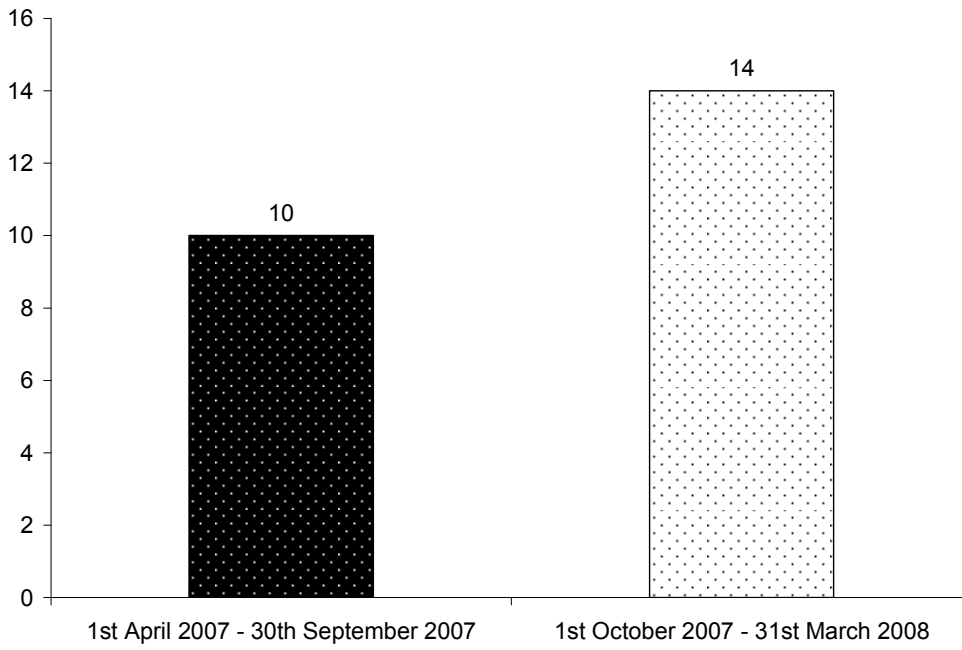
As it is an ongoing matter, no further details relating to the complaint will be included in this report.

- 3.3 The three cases which were reported as being under investigation in the previous report to the Standards Committee on 5th December 2007, have now all been resolved. Two of these cases were considered by the Standards Committee on 7th November 2007 (minute 43) and 14th July 2008 (minute 20). The other case was investigated by an Ethical Standards Officer and the case summary was published on the Standards Board for England website on 14th January 2008. This was also reported to the Standards Committee on 13th February 2008.

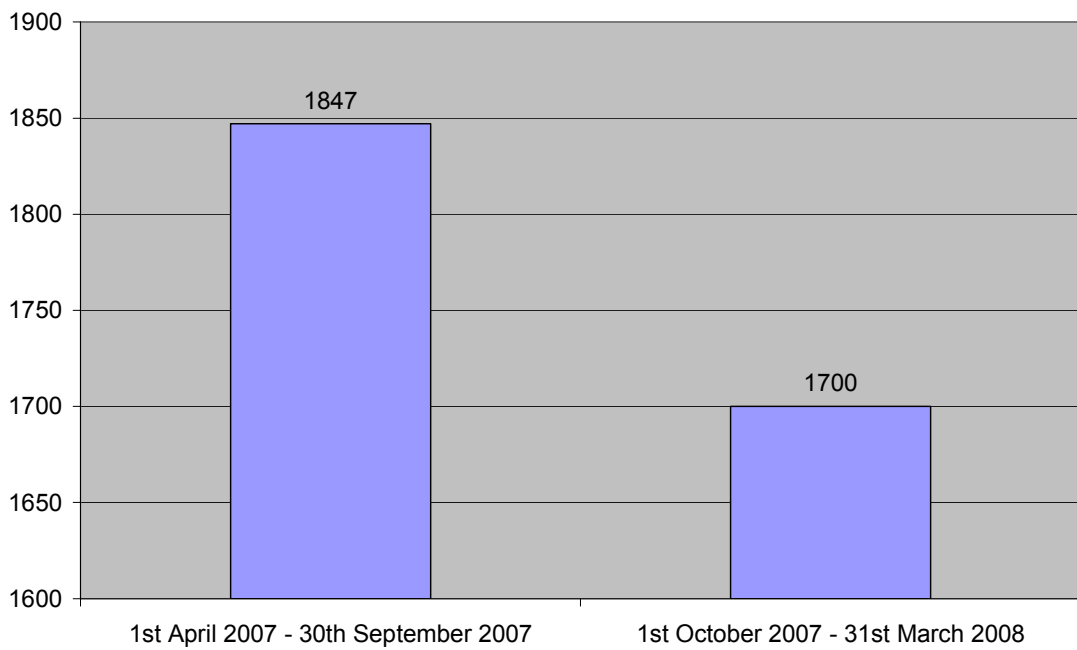
Statistics for the period 1st April 2007 – 31st March 2008

- 3.3 The complaints referred to the Standards Board for England during the period above are reflected in the statistics below.

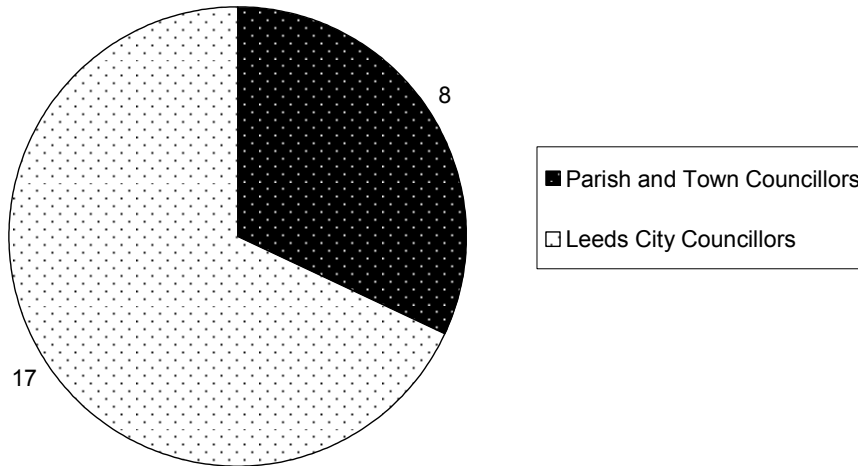
3.4 Number of allegations:



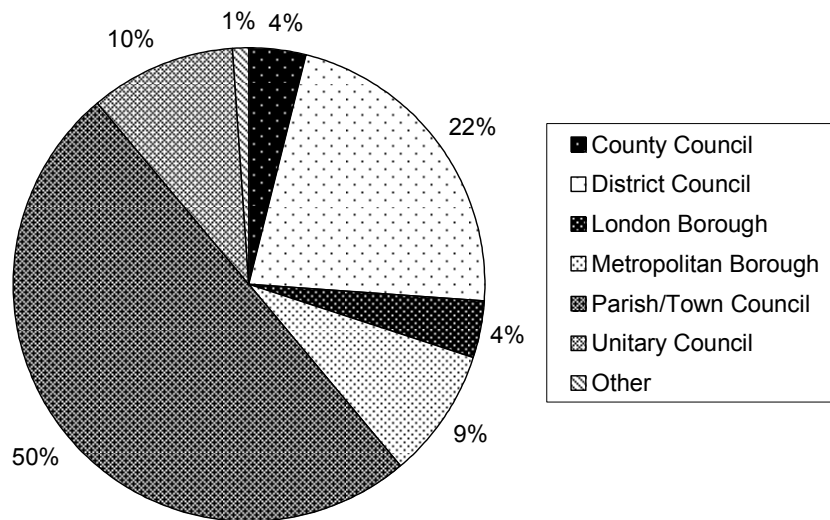
National statistics from the Standards Board for England



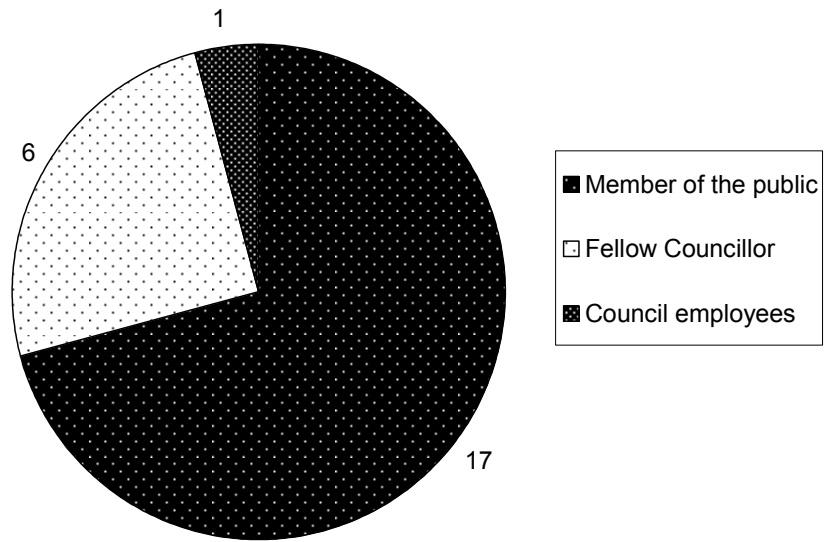
3.5 Authority of Member complained about:



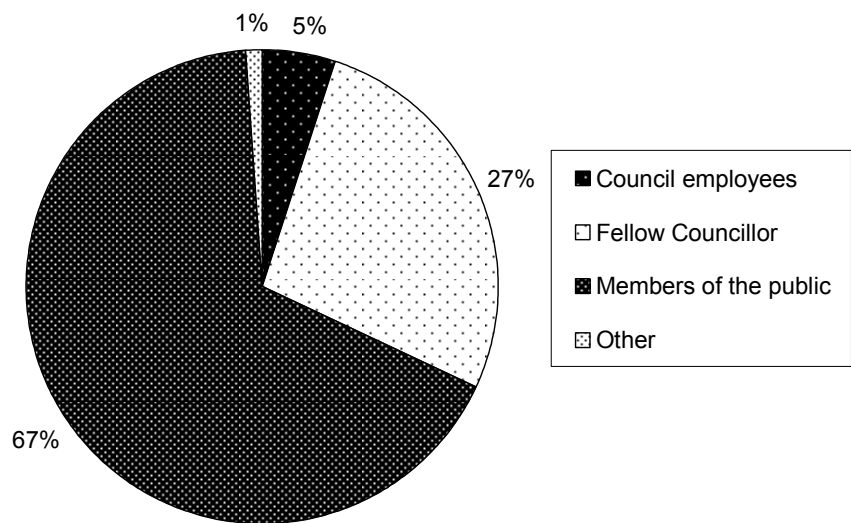
National statistics from the Standards Board for England



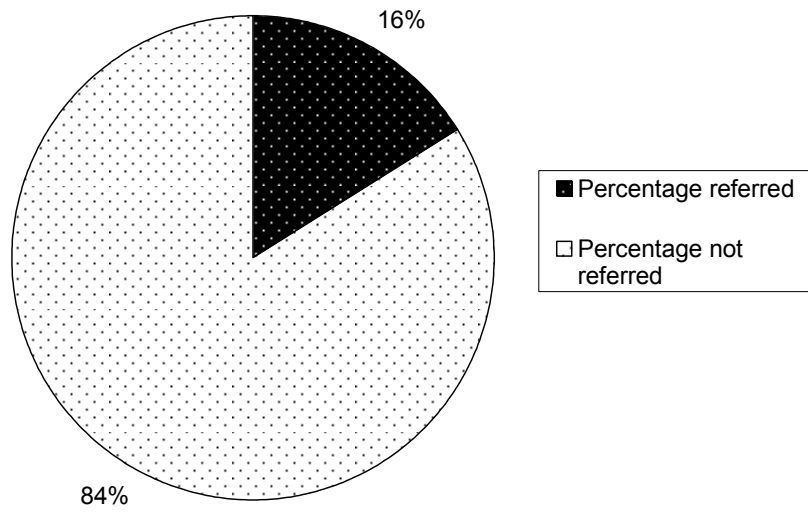
3.6 Source of complaints:



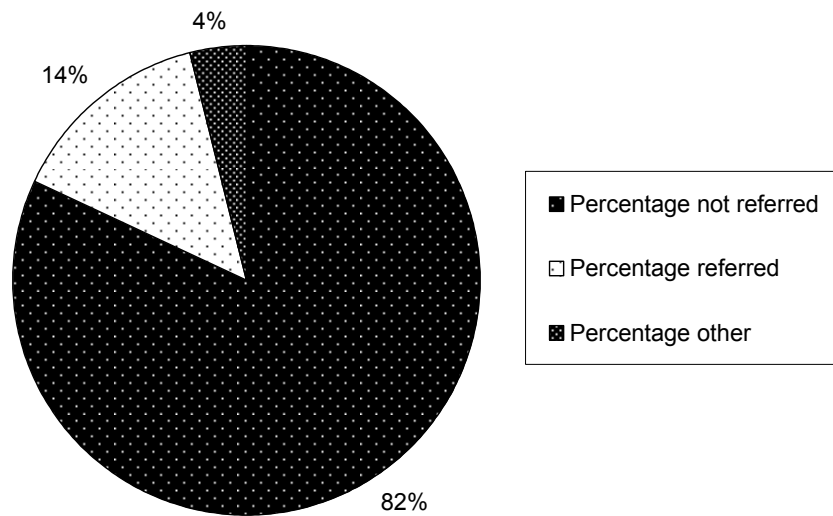
National statistics from the Standards Board for England



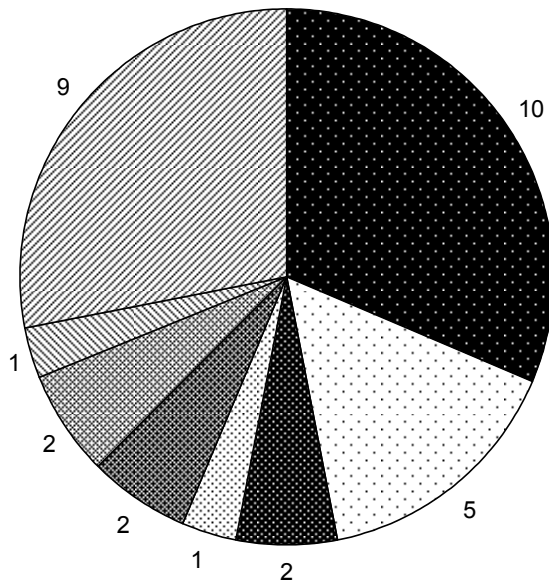
3.7 Complaints referred by the Standards Board for further investigation:



National statistics from the Standards Board for England

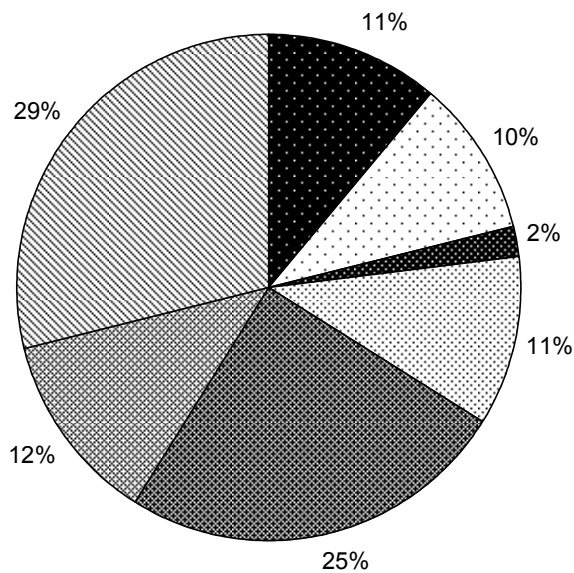


3.8 Nature of allegations made:



- Failure to treat others with respect
- Using their position improperly to confer or secure an advantage or disadvantage
- Bringing their office or authority into disrepute
- Failure to register a financial interest
- Participating in a matter in which they have a prejudicial interest
- Failure to register receipt of gifts or hospitality within 28 days
- Doing something which may cause their authority to breach any equality laws
- Matters outside of the Code of Conduct

National statistics from the Standards Board for England



- Bringing authority into disrepute
- Failure to disclose a personal interest
- Disclosure of confidential information
- Failure to treat others with respect
- Prejudicial interest
- Using position improperly to confer or secure an advantage or disadvantage
- Other

4.0 Implications For Council Policy And Governance

- 4.1 Monitoring the number and type of allegations made to the Standards Board for England support the Council's governance arrangements by informing future training provision and guidance for Councillors.
- 4.2 This report also assists the Standards Committee in carrying out the local filtering process which came into force in July 2008, by allowing the Committee to understand the reasons why the Standards Board decided not to refer some cases for investigation.

5.0 Legal And Resource Implications

- 5.1 There are no legal or resource implications to this report.

6.0 Conclusions

- 6.1 There do not appear to be any trends within the statistics which identify problem areas for improvement and further training.
- 6.2 In this period, the majority of complaints were rejected by the Standards Board as not being serious enough to warrant further investigation or not being connected with the Code of Conduct.
- 6.3 In Leeds, a higher proportion of the public are responsible for complaints compared to national statistics (67%). This shows that the public are using the processes in place and is evidence of good awareness of the ethical framework at the Council.

7.0 Recommendations

- 7.1 Members of the Committee are asked to note the contents of this report.

Background Documents

Report of the Assistant Chief Executive (Corporate Governance) to the Standards Committee, "Complaints referred to the Standards Board for England in the period 1st April 2007 – 30th September 2007", 5th December 2007.

Report of the Assistant Chief Executive (Corporate Governance) to the Standards Committee, "Case Summary – SBE 18979.07", 13th February 2008.

Standards Board for England: Monthly Statistical Digest, available at:
<http://www.standardsboard.gov.uk/CaseInformation/MonthlyStatisticalDigest/>

This page is intentionally left blank



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Review of the Standards Committee Communications Plan

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to review the Standards Committee's Communications Plan and to seek approval of any proposed amendments.
2. In order to address the lack of awareness and understanding of the Standards Committee and its role, Corporate Communications were asked to prepare a communications plan for the Standards Committee through the Ethical Audit Action Plan. However, as the Committee already had an approved communications plan, the existing plan was instead updated to take account of new media for communication and timescales. The updated communications plan was approved on 10th October 2007.
3. The communications plan has been reviewed to ascertain whether it has been complied with and whether any amendments to the plan are required. The amended communications plan is attached as Appendix 1.
4. Members of the Committee are asked to comment on and approve the communications plan attached at Appendix 1.

1.0 Purpose Of This Report

1.1 The purpose of this report is to review the Standards Committee's Communications Plan and to seek approval of any proposed amendments.

2.0 Background Information

2.1 Members of the Committee first approved a communications plan for the Standards Committee and conduct issues in January 2006.

2.2 During the discussions concerning the results of the Ethical Audit 2006, several areas of concern were identified. These included:

- That a high proportion of officers don't know that the Council has a Code of Conduct for Members, meaning complaints may not get forwarded due to lack of awareness;
- A significant proportion of officers and Members are unsure whether the Council's approach encourages appropriate behaviour or is building public confidence in local democracy;
- A small proportion of Members, and a larger proportion of officers are unaware of the existence and role of Standards Committee; and
- Large numbers of Members and officers don't agree or don't know that the Standards Committee makes a positive difference to the ethical environment.

2.3 The Standards Committee chose to request that a communications plan was created for the Standards Committee to identify and segment audiences and objectives, to identify appropriate media for communication and allocate timescales (Ethical Audit Action 10a).

2.4 Following this update in October 2007, the Standards Committee has taken on its new local assessment role and it is proposed that the communications plan is updated to take account of this. This is especially important as it was revealed at the Annual Assembly last year, that the steps taken by an authority to publicise the local assessment process are likely to be something that will be considered by the Audit Commission's Comprehensive Area Assessment key lines of enquiry.

3.0 Main Issues

3.1 The Standards Committee has complied with the communications plan adopted in October 2007 overall, although the need for some specific actions, such as press releases following a Standards Committee Hearing, has not arisen.

3.2 Information regarding whether key messages have been delivered to staff through the induction process, appraisals and training will be covered in a separate report on this agenda regarding the progress of the Ethical Framework Training and Awareness Programme for officers.

3.3 It is proposed that the specific 'rough guide' for members of the public proposed in the previous action plan is abandoned because the key messages it was proposed to address are adequately communicated by other methods. If, following the public focus groups and survey conducted by Cardiff University as part of their research

project, it becomes apparent that there is low awareness of the ethical framework amongst the public in Leeds, further actions to address this could be considered.

- 3.4 Since 8th May 2008 the Standards Committee has also been responsible for the local assessment of complaints. In order that potential complainants and subject Members are aware of the new process, the Standards Committee will have to advertise it in various ways. It is therefore proposed that information relating to local assessment is added as a key message for all four audiences covered by the plan. The amendments to the communications plan are shown in bold.

4.0 Implications For Council Policy And Governance

- 4.1 Communicating messages about the ethical agenda and the work of the Standards Committee more widely supports good governance by ensuring that all Members and officers are aware of their responsibilities.
- 4.2 Raising the profile of the ethical agenda and the Standards Committee will also contribute to the Comprehensive Performance Assessment, as it will contribute to the following key line of enquiry: "The council is proactive in raising the standards of ethical conduct among members and staff, including the provision of ethics training".

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to this report.
- 5.2 There are resource implications to some of the communications actions listed in the report, particular with regard to press notices. However it is anticipated that these can be met from within existing resources.

6.0 Conclusions

- 6.1 The communications plan has been reviewed to ascertain whether it has been complied with and whether any amendments to the plan are required. The amended communications plan is attached as Appendix 1 and the amendments are shown in bold type.
- 6.2 Since 8th May 2008 the Standards Committee has also been responsible for the local assessment of complaints. In order that potential complainants and subject Members are aware of the new process, the Standards Committee will have to advertise it in various ways. It is therefore proposed that information relating to local assessment is added as a key message for all four audiences covered by the plan.

7.0 Recommendations

- 7.1 Members of the Standards Committee are asked to comment on and approve the communications plan attached at Appendix 1.

Background documents referred to in this report

"Local Filter: Countdown to 2008" speech by Patricia Hughes, Deputy Chair of the Standards Board for England at the Sixth Annual Assembly opening plenary session. Available at <http://www.annualassembly.co.uk/AnnualAssemblyarchive/2007Assembly/>

“Standards Committee Communications Plan”, report of the Assistant Chief Executive (Corporate Governance) to Standards Committee on 1st October 2007.

Ethical Audit Action Plan 2006

STANDARDS COMMITTEE COMMUNICATION PLAN – MEMBERS

Message	Method	Distribution	Dates
To raise awareness of the whole ethical framework governing local authorities	Governance Matters newsletter.	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Corp Gov Pages	Update periodically when there are changes and review yearly (AGM)
	Induction	Handouts / Presentation	
	Training	Handouts / Presentation / E-learning module / DVD	
	External publications	E-mail / hardcopy.	Periodically when publications / news received.
Raise awareness of the Code of Conduct for Members, the Member/officer protocol and other local codes and protocols	Governance Matters newsletter.	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Corp Gov Pages	Update yearly
	Induction	Handouts / Presentation	
	Training	Handouts / Presentation / E-learning module / DVD	
	Pocket guide to local codes and protocols	Distributed through induction packs / training sessions	
Inform and remind Members of the need to register interests (including gifts and hospitality).	Governance Matters newsletter.	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Corp Gov Pages	Update yearly
	Induction	Handouts / Presentation	
	Training	Handouts / Presentation / E-learning module / DVD	
	E-mail reminders		Every three months.

Message	Method	Distribution	Dates
Inform, remind and explain to Members the requirement to declare interests at meetings.	Governance Matters newsletter.	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Corp Gov Pages	Update yearly (AGM)
	Induction	Handouts / Presentation	
	Training	Handouts / Presentation / E-learning module / DVD	
To inform Members of the role of the Council's Standards Committee –it's terms of reference, and inputs and outputs throughout the year.	Aide Memoir (to identify potential interests)	Personal email to Committee Members	Before Committee meetings
	Governance Matters newsletter	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Corp Gov pages	Update periodically if there are changes to committee TOR.
	Internet	Via Committee pages (created by Modern Gov)	Update pre/post each committee.
	Induction	Handouts / Presentation	
	Training	Handouts / Presentation / E-learning module / DVD	
	Standards Committee Annual Report	Published on internet / considered at Full Council	Annual
	General Press Release	Via local papers	When SC hearings are completed.
	Intranet	Portal News Bulletin	When SC hearings are completed.
		Governance Matters newsletter	Via e-mail / Intranet
To inform Members of general news relating to standards issues referred to us by other sections of the Council and / or external bodies.	Intra-net	News Portal	
	External publications	Via e-mail / hardcopy	

Message	Method	Distribution	Dates
To raise awareness of the local assessment process and the work of the Standards Committee's Sub-Committees.	Governance Matters newsletter	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Committee and Corp Gov Pages	Updated July 2008
	Induction	Handouts / Presentation	
	Standards Committee Annual Report	Published on internet / considered at Full Council	Annual
	External publications	Via e-mail / hardcopy	
	Briefing note on the new process	Provided to each political group	September 2008

STANDARDS COMMITTEE COMMUNICATIONS PLAN – OFFICERS

Message	Method	Distribution	Dates
To inform and remind officers of their responsibilities in relation to the Council's ethical framework. For example, to register gifts and hospitality, to declare interests and other local codes and protocols.	Governance Matters newsletter.	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Corp Gov Pages	Update yearly (AGM)
	Intranet	Portal news	Once yearly
	Induction	Handouts / Presentation	
	Staff appraisal scheme	Build in governance issues into senior officer appraisal scheme	
	Away days	Handouts / presentation / DVD	
	Training	Handouts / Presentation / E-learning module / DVD	
To inform senior officers of the role of the Council's Standards Committee – it's terms of reference, and inputs and outputs throughout the year.	Governance Matters newsletter	Via e-mail / Intranet	Bi monthly – began October 2005
	Intra-net	Via Corp Gov pages	Update periodically if there are changes to committee TOR.
	Intra-net	Via Committee pages	Update pre/post each committee.
To inform officers of general news relating to standards issues referred to us by other sections of the Council and / or external bodies.	Governance Matters Newsletter.	Via e-mail / intranet	Bi monthly – began October 2005
	Intra-net	News portal	Periodically
	External publications	E-mail / hardcopy.	Periodically when publications / news received.
To raise awareness of the local assessment process and the work of the Standards Committee's Sub-Committees.	Governance Matters newsletter	Via e-mail / Intranet	Bi monthly – began October 2005
	Intranet	Via Committee and Corp Gov Pages	Updated July 2008
	Article in Democratic Services Newsletter	Via email	July 2008
	Standards Committee Annual	Published on internet	Annual

Message	Method	Distribution	Dates
	Report		
	Presentation during Democratic Services Luncheon Seminar	Presentation / handouts	October 2008
	Message in Team Talk	Team meetings / intranet	October 2008

STANDARDS COMMITTEE COMMUNICATION PLAN – PUBLIC (Leeds Residents)

Message	Method	Distribution	Dates
To raise awareness among members of the public of the Councils ethical framework including the register of interest, codes of conduct and other codes and protocols.	About Leeds	News in Brief Items	Bi monthly – began October 2005
	Internet	Via Corp Gov pages	Update yearly
To inform members of the public of their rights of access to information related to the Council's ethical framework. For example, the register of interest, codes of conduct and other codes and protocols.	About Leeds	News in Brief Items	Periodically
	Internet	Via Corp Gov pages	Update yearly
To inform members of the public of the role of the Council's Standards Committee – it's terms of reference, and inputs and outputs throughout the year.	Governance Matters newsletter	Via internet	Bi monthly – began October 2005
	Internet	Via Corp Gov pages	Update periodically if there are changes to committee TOR.
	Internet	Via committee pages	Update pre / post committee
	Press Releases	Yorkshire Post	
	Internet	Via Council and Democracy pages	
To raise awareness among members of the public of the roles and responsibilities of their local councillors, including membership of committees.	Internet	Via the individual committee pages	
	Governance Matters newsletter	Internet	Bi monthly – began October 2005
To raise awareness of the local assessment process and the work of the Standards Committee's Sub-Committees.	Internet	Via Committee and Corp Gov Pages	Updated July 2008
	Leaflet on how to make complaints	Internet	July 2008
	Notice about changes to process	Poster in all Council buildings	July 2008
	Press notice in Council and local	Notice in About Leeds and	July and September 2008

Message	Method	Distribution	Dates
newspapers	Yorkshire Post		
Press release	Internet		October 2008
Letters and Notices to all Citizen's Advice Bureaux	Poster		July 2008
Standards Committee Annual Report	Published on internet		Annual

STANDARDS COMMITTEE COMMUNICATION PLAN – PARISH COUNCILS

Message	Method	Distribution	Dates
To raise awareness of the whole ethical framework governing local authorities.	Training	Handouts/Presentations	
	Induction	Handouts/Presentations	
	Governance Matters newsletter	Via Internet	Bi monthly – began October 2005
	Internet	Via Corp Gov pages	
Inform and remind Members of the need to register interests, and gifts and hospitality.	Correspondence	Standards Board publications	
	Correspondence	Reminders to parish clerks via letter and email	Quarterly
	Internet	Via Parish Council pages	Update yearly
	Governance Matters newsletter	Via Internet	Bi monthly – began October 2005
Inform, remind and explain to Members the requirement to declare interests at meetings.	Training	Handouts/Presentations	
	Induction	Handouts/Presentations	
	Internet	Governance Matters newsletter	Bi monthly – began October 2005
	Internet	Via Parish Council pages	Update yearly
To inform Members of the role of the Council's Standards Committee – it's terms of reference, and inputs and outputs throughout the year.	Induction	Handouts/Presentations	
	Training	Handouts/Presentations	
	Correspondence	Standards Committee Agenda/Minutes/Annual Report	Update pre / post committee
	Internet	Governance Matters	Bi monthly – began October 2005
To inform Members of general news relating to standards issues referred to us by other sections of the Council and / or external bodies.	Internet	Via committee pages	Update pre / post committee
	Correspondence	Via email and letter to parish clerks	
	Correspondence	Via Standards Board for England publications	
	Internet	Governance Matters newsletter	Bi monthly – began October 2005

Message	Method	Distribution	Dates
	Internet Report	Via parish council pages Via Parish Council Liaison Forum	
To inform Members of Standards Committee hearings outcomes.	General Press Release	Via local papers	When SC hearings are completed.
To raise awareness of the local assessment process and the work of the Standards Committee's Sub-Committees.	Governance Matters newsletter	Internet	Bi monthly – began October 2005
	Internet	Via Committee and Corp Gov Pages	Updated July 2008
	Leaflet on how to make complaints	Internet	July 2008
	Notice about changes to process	Correspondence	July 2008
	Press notice in Council and local newspapers	Notice in About Leeds and Yorkshire Post	July and September 2008
	Press release	Internet	October 2008
	Standards Committee Annual Report	Published on internet	Annual
	Training sessions on Code	Handouts / Presentation	
	External publications	Via email or correspondence	

This page is intentionally left blank



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Local Government Chronicle Awards 2009: Standards and Ethics Entry

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to inform Members of the Committee of the Leeds City Council entry to the 'Standards and Ethics' category of the Local Government Chronicle (LGC) Awards 2009.
2. The deadline to submit an entry was Thursday 9th October 2008. Much of the entry was drawn from the Standards Committee Annual Report and the Council's Corporate Governance Statement for 2008. Members of the Standards Committee were asked to provide ideas for the Leeds City Council entry by Friday 8th August 2008. An entry was then drafted and circulated for comments prior to being submitted.
3. Entering the award gives the Standards Committee an opportunity to raise its profile within Leeds City Council and amongst its peers. Reaching the final shortlist or winning the award, would demonstrate that the Council's standards have been judged to be among the best in the country, which will be a positive message to communicate to the general public in the Leeds area.
4. Members of the Standards Committee are asked to note the information in this report and the attached appendix.

1.0 Purpose Of This Report

1.1 The purpose of this report is to inform Members of the Committee of the Leeds City Council entry to the 'Standards and Ethics' category of the Local Government Chronicle (LGC) Awards 2009.

2.0 Background Information

2.1 The Standards Board for England recently announced that they will be sponsoring the new "Standards and Ethics" award category at the 2009 LGC Awards. On 10th July 2008 the Chair of the Standards Board sent every Standards Committee Chair a letter regarding the new award category, encouraging them to submit an entry.

2.2 Both the Chair of the Standards Committee and the Monitoring Officer thought it would be appropriate for Leeds City Council to submit an entry for the award.

2.3 The award will go to the authority that can prove they have put ethical standards at the heart of their culture and at the core of their governance. The judges will be looking for entries which describe how their authority's commitment to promoting ethical standards has improved public trust in local democracy. Entries must also provide evidence of an innovative approach to promoting high standards of member conduct and how the ethical standards agenda has the full, proactive support of the council's leadership.

2.3 The entry criteria for the award are as follows:

- Identify your principal achievements from October 2007 to September 2008
- Provide convincing evidence for your success — for example customer surveys, benchmarking
- Show how your teams' work fits into the overall objectives of the council
- Focus on the content rather than the presentation, your entry should be clearly laid out but you will not score marks for design
- Don't bog down the judges, or yourselves, by preparing reams of appendices — keep any supplementary information short, relevant and clear
- If you have been working with outside partners such as voluntary groups or companies, include their endorsement in your submission
- Don't forget the basics — the judges will be looking for proof that your team is meeting all its service obligations
- Show the judges how you provide first class customer care
- Think what makes your team a winner — show imagination, vision and enthusiasm

2.4 The deadline to submit an entry was Thursday 9th October 2008. Much of the entry was drawn from the Standards Committee Annual Report and the Council's Corporate Governance Statement for 2008. Members of the Standards Committee were asked to provide ideas for the Leeds City Council entry by Friday 8th August 2008. An entry was then drafted and circulated for comments prior to being submitted.

3.0 Main Issues

3.1 The final award entry was split into five key issue areas:

- Member conduct
- Officer conduct

- Regular audits of the Council's ethical arrangements
- Local assessment of complaints
- Standards Committee's relationships

3.2 An introduction was also provided to demonstrate how work in these areas contributes to the Council's overall priorities, and listing the key achievements in these areas during October 2007 to September 2008. These key achievements include work to train Members on the Code of Conduct, the creation and delivery of the Ethical Audit Action Plan and the Council's Use of Resources Comprehensive Performance Assessment score.

3.3 A copy of the final award entry as submitted is attached as appendix 1.

4.0 Implications For Council Policy And Governance

4.1 Entering the award gives the Standards Committee an opportunity to raise its profile within Leeds City Council and amongst its peers. Reaching the final shortlist or winning the award, would demonstrate that the Council's standards have been judged to be among the best in the country, which will be a positive message to communicate to the general public in the Leeds area.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications to this report.

6.0 Conclusions

6.1 The deadline to submit an entry was Friday 3rd October 2008. Much of the entry was drawn from the Standards Committee Annual Report and the Council's Corporate Governance Statement for 2008. Members of the Standards Committee were asked to provide ideas for the Leeds City Council entry by Friday 8th August 2008. An entry was then drafted and circulated for comments prior to being submitted.

6.2 A copy of the final entry is attached as appendix 1 to this report.

7.0 Recommendations

7.1 Members of the Standards Committee are asked to note the information in this report and the attached appendix.

Background documents referred to in this report

Standards Committee Annual Report 2007-2008, available at

<http://democracy.leeds.gov.uk/ecSDDisplay.asp?ID=248&sch=doc&cat=519&path=0,467>

Corporate Governance Statement 2008, available at

<http://democracy.leeds.gov.uk/ecSDDisplay.asp?ID=244&sch=doc&cat=516&path=0,467>

Code of Corporate Governance, available at

<http://democracy.leeds.gov.uk/ecSDDisplay.asp?ID=244&sch=doc&cat=516&path=0,467>

Council Business Plan, available at

http://www.leeds.gov.uk/Council_Publications/Democracy/Leeds_Strategic_Plan_2008_to_2011.aspx

Ethical Audit Action Plan 2006

Governance Matters newsletter, available at

<http://democracy.leeds.gov.uk/ecSDDisplay.asp?ID=245&sch=doc&cat=517&path=0,467>

Report of the Assistant Chief Executive (Corporate Governance) to Standards Committee on 5th December 2007, "Update: Informed, Transparent Decision Making – Officer Declarations"
Leeds City Council's Whistleblowing Policy, updated December 2007.

Report of the Director of Resources to Standards Committee on 10th October 2007
"Comprehensive Performance Assessment – Use of Resources"

Department for Communities and Local Government's consultation on "Orders and Regulations Relating to the Conduct of Local Authority Members in England", available at
<http://www.communities.gov.uk/publications/localgovernment/laconduct>

Local Government Chronicle “Standards and Ethics” Award Entry

Executive Summary

Our principal achievements are:

- **Ethical Audit Action Plan.** The Committee has monitored this plan since its approval in April 2007, and has added new objectives to address the results of the Ethical Audit 2007.
- **The Ethical Audit 2007.** The Committee has completed an ethical audit for junior staff and has analysed the results.
- **Local Assessment process.** The Committee has prepared for and undertaken its role in relation to the initial assessment of complaints.
- **Training for Members.** The Committee has developed and monitored the training provided on the Code of Conduct and the new assessment process for both Leeds City Council and Parish Council Members.
- **Members’ Interests identification system.** Officers now review agenda items against the Register of Interests to identify any potential interests which may arise during the meeting. Members are advised of any interests prior to the meeting and advised on the appropriate course of action.
- **The Use of Resources Score** from the CPA 2007. The Committee’s work during this period has contributed to the overall score of 3 in the Use of Resources section of the CPA, and procedures relating to conduct and behaviour have been identified as examples of good practice by the Audit Commission.

Main Entry

Standards and Ethics and the Council’s overall priorities.

The Council Business Plan states that the Council is a values led organisation. The communications plan for Council Values refers to the ethical framework.

Corporate induction materials refer to the Officers Code of Conduct, Whistleblowing and the Ethical Framework. New leadership standards were launched in September 2008 and will be applied during the appraisal process for Senior Managers. An integral part of these are managers’ relationships with Members and their responsibility to ensure their staff and services adhere to these standards. The Council also adopted a model of “Aspirational Culture” in September 2008. An integral part of this is good ethical behaviour (see attached diagram).

The Council’s Code of Corporate Governance has six principles, including good conduct and behaviour. The Committee supports this through work on the Members’ Code of Conduct, maintaining an overview of the Officer Code of Conduct, and reviewing the local Codes and Protocols.

The work of the Committee is detailed in the Corporate Governance Statement which is approved by the Corporate Governance and Audit Committee, and the Standards

Committee's Annual Report which is reported to full Council. The Statement reported that there are robust arrangements in place for the recording and monitoring of Members' interests and declaring these interests. Members are trained on the content of the Code and their responsibilities. The Head of Governance Services reported that these arrangements were operating correctly and were fit for purpose. The 2007 corporate assessment concluded **“there are sound arrangements for ethical governance with an active standards committee which is promoting greater awareness of standards issues”**.

The Standards Committee meets every other month and always has a full agenda. The Committee has a forward work programme which Committee Members are invited to update at each meeting, and which is kept under review by officers with reference to national developments. The Independent and Parish Members of the Committee receive special responsibility allowances which were increased in September 2008 to reflect their responsibilities in assessing complaints. The Chair receives an allowance of £6929.

Issue 1: Member Conduct

The Committee review the decisions of the Adjudication Panel for England, and considers any lessons the Council could learn.

Since July 2007, 3 complaints have been referred for investigation by the Standards Board, one of which is on-going. The Committee has not conducted any local hearings, but has considered two investigation reports and accepted the finding of no breach. Up to 8th May 2008, out of 99 Councillors, no Councillor has been found, by the Adjudication Panel of England, to have breached the Members' Code.

The Committee reassures itself, through annual reports, that the Members' Register of Interests is reviewed and updated regularly and the rules regarding interests/ gifts and hospitality are observed.

Officers review agenda items against the Members' Register of Interests to identify any potential interests which may arise during a meeting. Members are informed about these before the meeting and advised what to do.

In October 2007, officers reviewed the Register of Gifts since 2001. This report identified:

- who had provided the most gifts to Members;
- trends in the positions of the Members who have received gifts; and
- any links with decisions which impact the donor.

The Committee noted no adverse trends arising from this information.

Throughout the year, the Committee reviewed the following Codes, Protocols and Procedure Rules to ensure compliance and fitness for purpose:

- Standards Committee Procedure Rules (Hearings);
- Protocol on Member/Officer Relations;
- Code of Practice for the Determination of Planning Matters;
- Code of Practice for Determining Licensing Matters; and
- Monitoring Officer Protocol.

Further guidance was added to the Protocol on Member/Officer Relations about bullying and involvement in commercial transactions.

The Committee consulted with Members about additional local provisions to be added to the Code. As a result of this consultation the Committee decided not to amend the Code.

A programme of training on the Members' Code has been delivered to Members, Parish Councillors and relevant officers throughout the year. All Leeds City Council Members and 111 Parish Councillors have received training or training materials on the Code .

Ethical training is provided to Members during their induction. Members have access to training in formats suitable for their needs. A key innovation has been an e-learning module on the Members' Code. This has been updated in line with the new Code and was well received by Members.

The Committee has monitored the training provided to Parish Councils to ensure that it is appropriate and meets their needs. All Parish Members and Co-opted Members of the Council have been provided with access to a new online training system from the IDeA, called 'Modern Councillor'. The Committee has also helped secure training for Parish Councillors from the Council and external bodies and identified a budget for Parish Councils to access this training.

The Parish Council Liaison Forum and officers organised the first Parish Council Conference on 10th April 2008. Members of the Committee attended the conference to:

- introduce themselves;
- explain the role of the Committee; and
- assist officers with briefing delegates on the Code.

An e-learning module on the Code specifically for Parish Councillors was launched at the conference.

The Council produces a newsletter on ethical and corporate governance issues. This is sent to all Councillors, Directors, Chief Officers, and other relevant officers. It details the work of the Council's governance Committees, and provides accessible guidance on a key area within corporate governance in each issue. "Governance Matters" is produced on a bi-monthly basis and receives good feedback.

Issue 2: Employee Conduct

The Committee monitors compliance with the Officer Code of Conduct, particularly registering interests and offers of gifts, through reports from the Chief Officer (Human Resources), the most recent of which was in December 2007. The Committee also suggested that an amended version of the officer register (with the third party information removed) for certain senior officers should be a public document, and in January 2008 requested Communities and Local Government consider this as an option when drafting the new national officer code.

In April 2008 responsibility for the collection and recording of Employee Interests was transferred to the Business Support Centre (BSC). BSC is reviewing current processes and developing a consistent register of interests system together with a monitoring process.

Internal Audit has reviewed and revised the Whistleblowing Policy during 2008 in accordance with best practice including an effective communication plan.

Issue 3: Ethical Audits

The Committee approved the action plan in relation to the results of the Ethical Audit in July 2007, and has monitored the Council's progress. It received individual reports on actions within its terms of reference, and update reports on the other actions, the most recent being received in March 2008.

In October 2007, the Committee conducted an ethical audit amongst officers below SO2 to supplement the findings of the previous audit conducted with the Audit Commission, and assess how less senior officers view the ethical framework within Leeds.

The Committee considered the outcomes of the survey in April 2008 and will combine any actions necessary with the previous action plan in October 2008. The Council will then deliver and monitor a set of actions to address the findings of the Ethical Audit 2007, and embed the actions arising from the previous ethical audit.

In November 2007, the Committee asked each Parish Clerk to complete a questionnaire which asked about their register of interests, how interests are declared and recorded, and what training the Parish Councillors had received on the Code. The results showed that Parishes would like further training on the Code and that more guidance is needed for some Parishes. The results of the audit have been used to create a balanced scorecard which measure the performance of each Parish Council, and how well they are complying with their statutory obligations. The Committee will consider the results of the scorecard and what actions to take in October 2008.

The Committee ensured it was aware of the requirements of the Use of Resources Key Lines of Enquiry by receiving a report on the subject in December 2007. The Committee also considered how to adapt its approach to meet requirements under the new Comprehensive Area Assessment.

The Council received a score of 3 for its Use of Resources in 2007. The Audit Commission judged that the Council is performing well and has identified examples of good practice that contributed to the Council maintaining its high score. It specifically noted the audit of ethical standards, and that ethics training has been provided to all Members.

Issue 4: Complaints

The Committee took part in the Standards Board's pilot of the local assessment arrangements in July 2007. Since then the Committee has remained up to date on changes to the process by receiving regular reports. The Committee approved the arrangements for dealing with complaints on 1st July 2008.

The Committee has ensured that it will provide good customer service throughout the process by:

- setting shorter targets than the statutory timescales for considering review requests;
- choosing to tell the subject member that a complaint has been made; and
- providing a helpline number for complainants.

The Committee has made it easy for people to complain by advertising the process in newspapers, Citizen's Advice Bureaux and placing notices in all Council buildings. An online complaints form has also been developed.

The Committee has ensured that all Members understand the process by issuing a briefing note, which gives an overview of the process and what to expect.

During 2008-09, the Council will develop and embed the new arrangements for receiving complaints of misconduct, starting with a three monthly review of the current process to which all stakeholders will be invited to contribute.

Issue 5: Relationships

The Committee maintains a close relationship with the Corporate Governance and Audit Committee (CGA) to maintain an overview of governance issues within the Council. The Chair is a co-opted member of CGA. The two Committees receive each others minutes for information, and the Committee submits six monthly progress reports to CGA for consideration.

The Committee receives the support of the Leader and Chief Executive, and the Chair keeps the Leader up to date on ethical issues through quarterly meetings.

The Council is taking part in a project by Cardiff University with the Standards Board to assess the impact and effectiveness of the ethical framework in Councils. This will use public surveys and focus groups to explore any impacts of local standards frameworks on public trust in local government.

The Committee responded to the Communities and Local Government's consultation on the new Members' Code of Conduct in February 2008.

The Council maintains good relationships with external bodies such as the Standards Board. The Chair was a member of the steering group for the Annual Assembly in both 2007 and 2008. In October 2007 the Chair gave a presentation called "The State of Independence", which was one of the most successful presentations at the Assembly, receiving 98% 'good' or 'very good' feedback. The Monitoring Officer recently acted as a mentor to a Ethical Standards Officer at the Standards Board.

Officers have provided feedback to the Standards Board on various aspects of their work during the year, including the model code of conduct for Parish Councils, the guidance on investigations published on their website, and the local assessment monitoring database. This feedback has caused the Standards Board to revise their approach on each occasion.

The Chair is a member of the Association of Independent Members of Standards Committee in England, and was reappointed as a Director without Portfolio at their Annual Meeting 2008. The Association provides support to independent members in carrying out their responsibilities, and is a forum for exchanging views with other organisations. The Independent Members of the Committee are also members of the local Independent Members Forum.

This page is intentionally left blank

Leeds City Council Aspirational Culture

Sept 2008

Our stories and symbols

- We are proud to be looking after Leeds
- We make a difference to communities and individuals
- Our customers receive excellent services
- We offer equality of opportunity and celebrate our diversity
- We are a learning organisation
- We make this a great place to work – dynamic and fun

Leadership and behaviours

- We are ambitious for the Council, the City and its people
- We continually strive for excellence
- We are intelligent, well informed and innovative
- Our leaders are empowered and supported to deliver high quality outcomes and resolve issues
- We are committed to the desired leadership behaviours
- We are decisive and influential
- We are open to challenge and can be challenging

Our routines rituals policies and procedures

- We share and celebrate each others successes and achievements
- We deliver improved performance
- We value appropriate behaviours
- Our decision making is timely, clear and understandable
- Our approach to commissioning is smart and informed
- Our discussions are action orientated
- Our policies and procedures are responsive to people's needs

One Council Culture

- Together we make a difference to people, society and the environment
- The council's business is my business
- **We put the people of Leeds at the centre of what we do**
- Democratic engagement is strong and effective
- We are an effective, valued partner
- We live 'Our Values'

Our organisational arrangements

- Are flexible and responsive to change
- Are enabling
- Are representative of our communities
- We are resource aware

Our governance and regulation

- Our controls are modern, flexible, fit for purpose and proportionate
- Each of us is accountable and empowered
- We promote a positive and respectful relationship between Members and Officers
- Politicians are responsible and accountable for shaping the city and setting policy

Our communication and engagement

- Our communications are open, honest and trustworthy
- We believe communications is everyone's responsibility
- We are committed to meaningful consultation, engagement and involvement – internally and externally

Our Values



Looking After Leeds



Putting Customers First



Treating People Fairly



Valuing Colleagues



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Standards Committee Work Programme

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

To notify Members of the Committee of the work programme for the remainder of the municipal year and to seek comments from the Committee regarding any additional items.

2.0 Background Information

2.1 The work programme provides information about future items for the Standards Committee agenda, when reports will be presented to the Committee and who the responsible officer is.

3.0 Main Issues

3.1 The work programme for the municipal year 2008/09 is attached at Appendix 1.

4.0 Implications For Council Policy And Governance

4.1 There are no implications for Council policy.

4.2 By ensuring the codes and protocols of the Constitution are reviewed and fit for purpose, the Standards Committee is supporting the Council's governance arrangements.

5.0 Legal And Resource Implications

5.1 There are no legal and resource implications.

6.0 Conclusions

6.1 The work programme is attached at Appendix 1 for the Committee's information.

6.2 The work programme contains information about future agenda items for the Committee.

7.0 Recommendations

7.1 Members of the Committee are asked to note the work programme and advise officers of any items they wish to add.

STANDARDS COMMITTEE - WORK PROGRAMME 2008/09

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
Meeting date: Tuesday 16th December 2008 – The deadline for reports for this meeting is Friday 21st November 2008		
Consultation on the Code of Conduct for Members and Officers	To consider the Council's response to the Communities and Local Government consultation document on the Code of Conduct for Members and Officers to be submitted by 24 th December 2008.	Senior Corporate Governance Officer Amy Kelly
Adjudication Panel Decisions/Notable Cases	Six monthly report detailing the most recent Adjudication Panel decisions and any other notable standards cases.	Senior Corporate Governance Officer Amy Kelly
Three monthly review of the Local Assessment arrangements	To receive a report outlining the operation of the local assessment arrangements so far, and any proposals for amendment.	Principal Corporate Governance Officer Kate Sadler
Standards Board for England Annual Assembly	To receive a report on the recent Standards Board Annual Assembly, and feedback from those Members of the Committee who attended.	Corporate Governance Officer Laura Ford
Standards Committee Media Protocol	To consider a report outlining some amendments to the Standards Committee Media Protocol in light of the local assessment process and guidance from the Standards Board for England.	Principal Corporate Governance Officer Kate Sadler
Local Investigations	To receive a report detailing the arrangements in place to conduct local investigations, and outlining the updated Standards Board advise with regard to conducting investigations and Standards Committee Determinations.	Principal Corporate Governance Officer Kate Sadler

STANDARDS COMMITTEE - WORK PROGRAMME 2008/09

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
Ethical Arrangements in Partnerships	To receive a report detailing the draft ethical components of the toolkit for partnerships.	Principal Corporate Governance Officer Kate Sadler
Review of the Code of Practice for the Determination of Planning Matters	To report to the Standards Committee regarding whether the arrangements set out in the Code have been complied with and including any proposals for amendment in light of any issues that have arisen throughout the year.	Chief Planning Officer Phil Crabtree, Head of Development and Regulatory Caroline Allen
Meeting date: Tuesday 17th February 2009 – The deadline for reports for this meeting is Friday 23rd January 2009		
Draft Standards Committee Annual Report 2008/09	To seek Members' input on content of the Standards Committee annual report 2008/09. The report provides proposals and suggestions for content, and a draft report.	Senior Corporate Governance Officer Amy Kelly
Annual report on the Monitoring Officer Protocol	The Monitoring Officer will report to the Standards Committee regarding whether the arrangements set out in the Protocol have been complied with and will include any proposals for amendments in the light of any issues that have arisen during the year.	Principal Corporate Governance Officer Kate Sadler
Ethical Audit Action Plan – Progress Report	To receive a report outlining the progress against the Ethical Audit Action Plan over the last six months.	Principal Corporate Governance Officer Kate Sadler

STANDARDS COMMITTEE - WORK PROGRAMME 2008/09

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
Meeting date: Tuesday 21st April 2009 – The deadline for reports for this meeting is Friday 27th March 2009		
Final Standards Committee Annual Report 2008/2009	To seek Member's approval for the final draft of the Standards Committee Annual Report 2008/2009.	Senior Corporate Governance Officer Amy Kelly
Adjudication Panel Decisions/Notable Cases	Six monthly report detailing the most recent Adjudication Panel decisions and any other notable standards cases.	Senior Corporate Governance Officer Amy Kelly
Code of Practice for the Determination of Licensing Matters	To receive a report outlining whether the arrangements set out in the Code have been complied with and will include any proposals for amendment in light of any issues that have arisen throughout the year.	Section Head Licensing and Enforcement Gill Marshall
Standards Committee Procedure Rules	The Monitoring Officer will report to the Committee on how the "gate-keeping" role has been discharged, in respect of preliminary investigations of local complaints under paragraph 8.2, and where she decided that no further action should be taken, under paragraph 8.3. The Monitoring Officer will report to the Standards Committee annually on whether the arrangements set out in this procedure have been complied with, and will include any proposals for amendments in the light of any issues that have arisen during the year.	Principal Corporate Governance Officer Kate Sadler

STANDARDS COMMITTEE - WORK PROGRAMME 2008/09

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
<u>Unscheduled Items</u>		
Officer Code of Conduct	Approval of a revised Leeds City Council Officer Code of Conduct following receipt of the Model Code. ¹	Chief Officer (Human Resources) Lorraine Hallam
Politically Restricted Posts	To receive a report setting out details of the Council's new requirements for considering appeals against politically restricted posts and how the Chief Officer (Human Resources) proposes to comply with them under the new duty given to Standards Committees. ²	Head of Human Resources Alex Watson
Protocol for Elected Members/Officer Relations and Protocol for Elected Members / Education Leeds Relations	The Monitoring Officer will report to the Standards Committee regarding whether the arrangements set out in the Protocols have been complied with and will include any proposals for amendments in the light of any issues that have arisen during the year.	Senior Corporate Governance Officer Amy Kelly
Results of the Parish profile and actions taken	The Monitoring Officer and Chair of the Standards Committee will report to the Standards Committee regarding the results of the Parish profile based on the Parish Council Annual Audit returns, and any action taken.	Senior Corporate Governance Officer Amy Kelly

¹ Consultation on the new officer Code of Conduct will close on 24th December 2008. It is anticipated that the new Officer Code will be released prior to the Annual Meeting in 2009.

² Regulations regarding this process are not due to be released until later in 2008.