

## STANDARDS COMMITTEE

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Wednesday, 17th February, 2010  
at 2.00 pm

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### MEMBERSHIP

#### Independent Members

Mike Wilkinson (Chair)	(Independent Member)
Joanne Austin	(Independent Member)
Rosemary Greaves	(Independent Member)
Philip Turnpenny	(Independent Member)
Gordon Tollefson	(Reserve Independent Member)

#### Councillors

D Blackburn  
C Campbell  
JL Carter  
RD Feldman  
R Gettings  
J Harper  
B Selby

#### Parish Members

Councillor Mrs P Walker	Pool in Wharfedale Parish Council
Councillor John C Priestley	East Keswick Parish Council
Councillor Paul Cook	Morley Town Council

## CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

**9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.**

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

**10.1** The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and**
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**10.2** In these circumstances, public access to reports, background papers and minutes will also be excluded.

**10.3** Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

**10.4** Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></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><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – 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><b>LATE ITEMS</b></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><b>DECLARATION OF INTERESTS</b></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><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>To approve the minutes of the Standards Committee meeting held on 16<sup>th</sup> December 2009.</p>	1 - 6
6			<p><b>MINUTES OF THE ASSESSMENT SUB-COMMITTEE</b></p> <p>To note the minutes of the Assessment Sub-Committee meeting held on 14<sup>th</sup> December 2009.</p>	7 - 8
7			<p><b>MINUTES OF THE CORPORATE GOVERNANCE AND AUDIT COMMITTEE</b></p> <p>To note the minutes of the Corporate Governance and Audit Committee meetings held on 15<sup>th</sup> December 2009 and 13<sup>th</sup> January 2010.</p>	9 - 18
8			<p><b>ETHICAL AUDIT ACTION PLAN: HUMAN RESOURCES UPDATE</b></p> <p>To receive a report of the Chief Officer (Human Resources) providing further information in relation to the actions assigned to the Chief Officer (Human Resources) from the Ethical Audit Action Plan.</p>	19 - 34

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>COMPULSORY TRAINING FOR MEMBERS OF STANDARDS COMMITTEE</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) seeking confirmation of the proposal made by Corporate Governance and Audit Committee that a programme of compulsory training should be undertaken by Members of the Standards Committee, and proposing an amended training plan.</p>	35 - 46
10		10.4(1, 2, 3)	<p><b>OUTCOME OF AN INVESTIGATION INTO A LEEDS CITY COUNCIL MEMBER</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) notifying members of the Standards Committee of the outcome of a recent investigation into the conduct of a Leeds City Councillor, which was carried out by an Ethical Standards Officer from Standards for England.</p>	47 - 90
11			<p><b>LOCAL ASSESSMENT - READILY OBTAINABLE INFORMATION</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) clarifying what information can be obtained by the Monitoring Officer in relation to a complaint against a Member in order to assist the Assessment Sub-Committee with its decision on that complaint.</p>	91 - 96
12			<p><b>LOCAL ASSESSMENT - PROGRESS REPORT</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) providing Members of the Standards Committee with a progress report in relation to all complaints received under the Members' Code of Conduct from 1<sup>st</sup> June 2009 to 31<sup>st</sup> December 2009.</p>	97 - 112

Item No	Ward/Equal Opportunities	Item Not Open		Page No
13			<p><b>ANNUAL REPORT ON THE MONITORING OFFICER PROTOCOL</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) providing the Monitoring Officer's Annual Report, which is required under paragraph 5 of the Monitoring Officer Protocol.</p>	113 - 126
14			<p><b>REVIEWING THE EFFECTIVENESS OF THE STANDARDS COMMITTEE</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) reviewing the effectiveness of Leeds City Council's Standards Committee, by comparing its response to Standards for England's Annual Return 2009 with the responses received from all Standards Committees.</p>	127 - 144
15			<p><b>STANDARDS FOR ENGLAND: PUBLIC PERCEPTIONS OF ETHICS</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) advising Members of the Committee of the findings of the research report recently published by Standards for England, which is the third in a series tracking public perceptions of ethics in local government.</p>	145 - 164
16			<p><b>THE FIRST-TIER TRIBUNAL (LOCAL GOVERNMENT STANDARDS IN ENGLAND)</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) advising the Committee that the Adjudication Panel for England has transferred into the unified tribunal structure and into the new General Regulatory Chamber (GRC) within the First-tier Tribunal.</p>	165 - 168

Item No	Ward/Equal Opportunities	Item Not Open		Page No
17			<p><b>FIRST-TIER TRIBUNAL (LOCAL GOVERNMENT STANDARDS IN ENGLAND): DECISIONS OF CASE TRIBUNALS</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) providing summaries of recent decisions made by the First-Tier Tribunal (Local Government Standards in England) in its role of determining allegations of misconduct.</p>	169 - 194
18			<p><b>STANDARDS COMMITTEE WORK PROGRAMME</b></p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) outlining the contents of the draft work programme for the remainder of the 2009/10 municipal year.</p>	195 - 200