



STANDARDS COMMITTEE

**Additional meeting to be held in Civic Hall, Leeds, LS1 1UR on
Wednesday, 19th August, 2009
at 9.00 am**

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

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 MEETING</p> <p>To approve the minutes of the Standards Committee meeting held on 8th July 2009.</p>	1 - 8
6			<p>MINUTES OF THE ASSESSMENT SUB-COMMITTEE</p> <p>To note the minutes of the Assessment Sub-Committee meetings held on 25th June 2009, 8th July and 13th July 2009.</p>	9 - 14
7			<p>MINUTES OF THE REVIEW SUB-COMMITTEE</p> <p>To note the minutes of the Review Sub-Committee meeting held on 13th July 2009.</p>	15 - 16
8			<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 30th June and 29th July 2009.</p>	17 - 30
9			<p>AMENDMENTS TO THE STANDARDS COMMITTEE TERMS OF REFERENCE</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) outlining recent consequential amendments to the Standards Committee Terms of Reference which were approved on 27th July 2009.</p>	31 - 36

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>STANDARDS COMMITTEE PROCEDURE: POLITICALLY RESTRICTED POSTS</p> <p>To consider a report of the Chief Officer (Human Resources) outlining the proposed procedure for the Standards Committee to consider applications for exemption from the list of politically restricted posts.</p> <p>(Report to follow)</p>	
11			<p>APPLICATION FOR EXEMPTION FROM THE LIST OF POLITICALLY RESTRICTED POSTS</p> <p>To consider a report of the Director of City Development seeking exemption for the post of Economic Policy and Information Manager from the list of politically restricted posts maintained by the Council under the Local Government and Housing Act 1989.</p> <p>(Report to follow)</p>	
12			<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 2009/10 municipal year.</p>	37 - 44

Agenda Item 5

Standards Committee

Wednesday, 8th July, 2009

PRESENT:

Independent Members

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

Councillors

D Blackburn	R D Feldman	J Harper
C Campbell	B Gettings	B Selby

Parish Members

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

APOLOGIES:

Mr G Tollefson, Councillors P Cook and J L Carter

1 Chair's Opening Remarks

The Chair welcomed the new members who had been appointed to the Committee at the Council's Annual Meeting on 21st May 2009. He also thanked the previous Committee members (Councillors Elliott and Nash), for their valuable contribution to the work of the Committee.

2 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.

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 submitted to the agenda by the Chair for consideration.

5 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.

6 Minutes of the Previous Meeting

The minutes of the Standards Committee meeting held on 21st April 2009 were approved as a correct record.

Further to Minute 72, Members were informed that a report regarding the procedure for local complaints would be submitted to the Committee's next meeting on 15th October 2009.

Further to Minute 77, Members were informed that amendments to the Standards Committee's Terms of Reference had been approved by full Council on 21st May 2009.

7 Minutes of the Assessment Sub-Committee

The minutes of the Assessment Sub-Committee meetings held on 20th April, 21st April, 14th May and 18th May 2009 were received and noted.

8 Minutes of the Review Sub-Committee

The minutes of the Review Sub-Committee meeting held on 20th April 2009 were received and noted.

Members were reminded that Case Summaries are publicly available, should an interested person request further details regarding a complaint.

9 Minutes of the Corporate Governance and Audit Committee

The minutes of the Corporate Governance and Audit Committee meetings held on 30th April and 12th May 2009 were received and noted.

10 Appointment of Independent and Parish Members

The Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) informing Members of the outcome of the Standards Committee appointments approved by full Council at its Annual Meeting on 21st May 2009.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the appointment of Mrs J Austin to the role of Independent Member until the Annual Meeting in 2013;
- (b) Note the appointment of Mr G Tollefson to the role of reserve Independent Member until the Annual Meeting in 2010 or earlier should a vacancy arise when he will then become a full Independent Member for a four year term;
- (c) Note the appointment of Councillor P Cook to the role of Parish Member until the Annual Meeting in 2013; and
- (d) Note the reappointment of Councillor Mrs Walker as a Parish Member until the Annual Meeting in 2013.

11 Ethical Audit Action Plan - HR Issues

The Human Resources Manager presented a report of the Chief Human Resources Officer updating Members of the Standards Committee on on-going work arising from the Ethical Audit Action Plan, and presenting a review of progress regarding development programmes to raise awareness and understanding, and a preview of the next Staff Survey which will provide an opportunity to refresh Human Resources' information on officers' understanding of ethical governance issues.

Members particularly discussed:

- The results of the 360 degree appraisals, and the need for information other than percentages and mean scores to be provided, such as the number of officers involved;
- Their concern regarding the expected response rate from the Staff Survey, the cost implications, and the amount of information that would be provided from this;
- Who in the Council has overall responsibility for the Staff Survey; and
- Implementation of the Managers' Briefings, which Members were assured would be held on a regular basis from now on.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the specific position regarding Ethical Governance awareness training, how this work is being used to strengthen overall approaches to embed good governance and emerging findings from senior officer appraisals, and plans to survey all staff and to feedback results;
- (b) Receive follow up reports in December 2009 providing the full position on the senior manager 360 degree appraisals and the Staff Survey results; and
- (c) Request that information other than percentages and mean scores be provided in relation to the 360 degree appraisals, such as the number of officers involved (subject to resource implications).

12 Proposals for the creation of a Consideration and Hearings Sub-Committee

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) asking Members to consider options for how the Committee might both receive and consider completed investigation reports and how hearings might be conducted. The options presented were to establish both a Consideration Sub-Committee (to receive completed investigation reports) and a Hearings Sub-Committee (to conduct hearings in relation to Leeds City Councillors and Parish and Town Councillors), or to establish a Consideration and Hearings Sub-Committee to carry out both functions.

Members particularly discussed:

- The reasons why the Member Management Committee had not been consulted on these options;
- The potential benefits and drawbacks of creating Consideration/Hearings Sub-Committee/s;

- Whether the creation of a new Sub-Committee would have any resource implications. Officers confirmed that there would be no resource implications as a result of creating a new Sub-Committee;
- The Licensing Sub-Committee, which has three Members and operates well; and
- The possibility of creating a Hearings Sub-Committee, and allowing the function of receiving final investigation reports to remain with the Assessment Sub-Committee.

The Committee agreed that a Hearings Sub-Committee should be created to hold determination hearings as too many Members would be involved if this function was carried out by the Standards Committee, which may intimidate the parties involved, and could also cause difficulties in reaching a decision. Members also decided that the function of receiving final investigation reports should remain with the Assessment Sub-Committee, as these meetings are already scheduled, and there would be no need to set up a fourth Sub-Committee. The Committee also agreed that separating the consideration and hearings functions would avoid any confusion in the Standards Committee Procedure Rules.

Members then discussed the potential membership of the Hearings Sub-Committee, and agreed that it should consist of five members, comprising two Independent Members, one Parish Member and two Leeds City Council Members. It was also agreed that the Chair of the Hearings Sub-Committee should be the Chair of the Standards Committee or his nominee (in case the Chair of the Standards Committee is unable to attend due to an interest, or illness, for example), and that the Parish Member should be invited to attend, regardless of whether the case involves a Town or Parish Councillor.

The Committee then considered the pre-hearing process, and agreed that all aspects of this (apart from those which require approval by the Hearings Sub-Committee) should be carried out by the Monitoring Officer in consultation with the Chair of the Hearings Sub-Committee. Members were assured that the Monitoring Officer will make recommendations on those decisions which can only be made by the Hearings Sub-Committee, which will then make formal decisions at the commencement of the hearing and will be able to reject any recommendation they see fit. Members were also informed that the pre-hearing summary would continue to be sent to all parties at least ten working days prior to the hearing.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Appoint a Hearings Sub-Committee to hold determination hearings;
- (b) Approve the Terms of Reference of the Hearings Sub-Committee as attached at Appendix 1b to the report;
- (c) Confirm the membership of the Hearings Sub-Committee as outlined in paragraph 3.13 of the report (five Members, comprising two Independent Members, one Parish Member and two Leeds City Councillors);
- (d) Confirm that a Town/Parish Councillor be a Member of the Hearings Sub-Committee regardless of whether the case involves a Town/Parish Councillor;

- (e) Confirm that the Chair of the Hearings Sub-Committee will be the Chair of the Standards Committee or his nominee;
- (f) Authorise the Assistant Chief Executive (Corporate Governance) to make the necessary amendments to the Standards Committee Procedure Rules in relation to:
 - (i) Delegating responsibility for matters in the pre-hearing process (which can be dealt with in writing) to the Monitoring Officer in consultation with the Chair of the Hearings Sub-Committee;
 - (ii) Delegating responsibility for the matters set out in paragraph 3.21 of the report to the Monitoring Officer in consultation with the Chair of the Hearings Sub-Committee;
 - (iii) Delegating responsibility for the preparation of the pre-hearing summary to the Monitoring Officer in conjunction with the Chair of the Hearings Sub-Committee;
 - (iv) The inclusion of the additional provisions for dealing with disputes over the findings of fact which arise after the pre-hearing process as outlined in Standards for England's model procedure;
 - (v) The addition of the further provisions to enable the Hearings Sub-Committee to ask questions of the parties and to seek appropriate legal advice throughout the hearing process as outlined in Standards for England's model procedure; and
- (g) Authorise the necessary amendments to the Standards Committee Media Protocol; and
- (h) Note that consequential amendments will be required to Article 9 of the Constitution and the Standards Committee Terms of Reference.

(Councillor Harper left the meeting at 3.45pm after the consideration of this item.)

13 The Standards Committee (Further Provisions) (England) Regulations 2009

The Principal Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) setting out details in relation to the introduction of the Standards Committee (Further Provisions) (England) Regulations 2009.

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

14 Standards Board for England "Other Action Guidance"

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) making Members of the Standards Committee aware of the new guidance published by Standards for England on the use of other action, and proposing amendments to the Standards Committee's Assessment Flowchart as a result of this guidance.

Members were informed that the Committee's decision to not inform the Subject Member of the existence of a complaint prior to the meeting of the Assessment Sub-Committee would be reviewed in October 2009 (six months after the Committee's original decision), and that the Chair had written to the

Secretary of State requesting that the Regulations in relation to this issue be reviewed in order that the Subject Member can be informed of the nature of the complaint prior to the meeting of the Assessment Sub-Committee.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the contents of the report and the guidance attached at Appendix 1 to the report;
- (b) Add the receipt of the Monitoring Officer's report on Other Action to the Assessment Sub-Committee Terms of Reference; and
- (c) Approve the proposed amendments to the Assessment Flowchart attached at Appendix 2 to the report.

15 Local Assessment - Progress Report

The Corporate Governance Officer presented 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 July 2008 to May 2009, and some statistical analysis regarding the complaints, including a comparison with the national statistics from Standards for England.

The Committee was informed of the general reasons for the delays that had been encountered in relation to some of the investigations, and was assured that there would be an opportunity to discuss the lessons learned from individual cases after the conclusion of those cases. Members were also informed that a protocol for engaging with external investigators was also being produced, which would help to avoid similar delays being encountered in future.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the contents of the report;
- (b) Receive Local Assessment update reports on a six monthly basis from now on; and
- (c) Note the position of the Standards Committee in relation to the national statistics.

16 Standards Board for England Annual Return 2009

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) notifying Members of the Standards Committee of the new requirement to produce an annual return for Standards for England, and providing a copy of this year's annual return for Members' information.

Members discussed the availability of officers' register of interests, and were informed that there was no legal obligation for this to be publicly available. In responding to the Department for Communities and Local Government's consultation on the Member and Officer Codes of Conduct, the Committee had expressed the view that relevant officers' register of interests, namely those with delegated authority should be made publicly available.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the information in the annual return attached as Appendix 1 to the report; and
- (b) Publish this information with the Annual Report on the Council's website.

17 Parish and Town Council Annual Audit 2007

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) updating Members of the Standards Committee on the results of the Parish and Town Council profiling exercise, and the actions agreed by the Chair, Monitoring Officer and Parish Members of the Standards Committee at their meeting on 17th February 2009.

It was anticipated that individual letters and guidance packs (if necessary) would be sent to the Parishes by the end of August 2009. The proposed actions relating to the adoption of the revised Members Code of Conduct would be delayed until after the Code's publication, which, according to the Department for Communities and Local Government, has been delayed until Summer 2009.

RESOLVED – Members of the Standards Committee resolved to note the decisions of the Chair, Monitoring Officer and Parish Members of the Standards Committee and note the progress of these actions.

18 Review of the Members' Register of Gifts and Hospitality

The Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) presenting to the Standards Committee statistical data in relation to the receipt of gifts and hospitality recorded by Members during the period 2008/09, and drawing comparisons with declarations made by Members in 2007/08.

RESOLVED – Members of the Standards Committee resolved to:

- (a) note the information provided in the report; and
- (b) confirm that they are satisfied with the assurances provided.

19 Standards Committee Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the Committee of the work programme for the remainder of the municipal year, and seeking comments from the Committee regarding any additional items.

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

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Agenda Item 6

Standards Committee - Assessment Sub-Committee

Thursday, 25th June, 2009

PRESENT:

Independent Members

Mike Wilkinson (Chair)

Councillors

D Blackburn

Parish Members

Councillor Mrs P Walker

32 Declarations 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.

33 Case Reference 0910001

The Monitoring Officer submitted the above complaint to the Assessment Sub-Committee for consideration.

As the complaint form had become illegible when photocopied as part of the agenda, it had been typed onto a new form by the Committee Clerk. The Chair reviewed the typed version against the original complaint form, and confirmed that it corresponded with the original complaint.

RESOLVED - The Assessment Sub-Committee decided:

- To take no further action in relation to part of the complaint; and
- To take no further action in relation to the remainder of the complaint unless and until further information is received in relation to the allegations.

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Standards Committee - Assessment Sub-Committee

Wednesday, 8th July, 2009

PRESENT:

Independent Members

Mike Wilkinson (Chair)

Councillors

C Campbell

Parish Members

Councillor Mrs P Walker

34 Declarations 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.

35 Case Reference 0809014(iii)

The Monitoring Officer submitted a report on the action taken to comply with the Assessment Sub-Committee's direction to take other action in relation to part of the above complaint. The Assessment Sub-Committee considered whether it was satisfied with the action described in the report.

RESOLVED – The Assessment Sub-Committee decided it was satisfied with the action taken by the Monitoring Officer, and that the complainant(s) and the subject Member be so informed.

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Standards Committee - Assessment Sub-Committee

Monday, 13th July, 2009

PRESENT:

Independent Members

Philip Turnpenny (Chair) Independent Member

Councillors

C Campbell

Parish Members

Councillor Mrs P Walker

1 Declarations 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.

2 Case Reference 0910002

The Monitoring Officer submitted the above complaint to the Assessment Sub-Committee for consideration.

RESOLVED – The Assessment Sub-Committee resolved:

- That as the subject Member was not acting, claiming to act, or giving the impression she was acting in her official capacity at the time of the alleged incidents, the Code of Conduct did not apply; and
- To take no further action on the allegations.

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Standards Committee - Review Sub-Committee

Monday, 13th July, 2009

PRESENT:

Independent Members

Philip Turnpenny (Chair) Independent Member

Councillors

C Campbell

Parish Members

Councillor Mrs P Walker

1 Declarations of Interest

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.

2 Case Reference 0809016(i)

The Monitoring Officer submitted a review request in relation to the above complaint to the Review Sub-Committee for consideration. The complaint was originally considered by the Assessment Sub-Committee on 20th April 2009.

RESOLVED – The Review Sub-Committee resolved:

- That there was no potential breach of the Members' Code of Conduct disclosed by the complaint; and
- To take no further action on the allegations.

3 Case Reference 0809016(ii)

The Monitoring Officer submitted a review request in relation to the above complaint to the Review Sub-Committee for consideration. The complaint was originally considered by the Assessment Sub-Committee on 14th May 2009.

RESOLVED – The Review Sub-Committee resolved:

- That the subject Member may have potentially breached the Members' Code of Conduct through one of the complainant's allegations;
- That no further action was necessary in relation to this potential breach as the subject Member had already apologised; and

- To take no further action on the allegations.

4 Case Reference 0809017

The Monitoring Officer submitted a review request in relation to the above complaint to the Review Sub-Committee for consideration. The complaint was originally considered by the Assessment Sub-Committee on 20th April 2009.

RESOLVED – The Review Sub-Committee resolved:

- That there was no potential breach of the Members' Code of Conduct disclosed by the complaint; and
- To take no further action on the allegations.

Agenda Item 8

Corporate Governance and Audit Committee

Tuesday, 30th June, 2009

PRESENT: Councillor J Bale in the Chair

Councillors M Wilkinson, D Blackburn,
G Driver, P Grahame, G Latty, C Campbell,
G Kirkland, T Leadley, G Hyde and J Lewis

Co-optee
Mr M Wilkinson

Apologies Councillors N Taggart and A Lowe

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

2 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

3 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 Corporate Governance Statement 2009, which was to be considered at agenda item 11 (Minute 12 refers).

The Corporate Governance Statement was unavailable at the time of the agenda dispatch, and was required to be approved at this meeting as it will be contained within the Statement of Accounts 2008/09, which required approval by 30th June 2009.

4 Declaration of Interests

There were no declarations made at this point, however a declaration of interest was made at a later point in the meeting (Minute 13 refers).

5 Apologies for Absence

Apologies for absence were received on behalf of Councillors Lowe and Taggart. The Chair welcomed Councillor Leadley as a new member of the Committee for 2009/10, and Councillors Hyde and J Lewis who were in attendance as substitute members.

6 Minutes of the Previous Meeting

The minutes of the Corporate Governance and Audit Committee meeting held on 12th May 2009 were approved as a correct record.

7 Matters Arising

Further to Minute 140, an update was provided regarding the progress made in addressing the resolutions of this item. In relation to Minute 140(c), Members were informed that the Chair had written to senior officers and Councillor Brett (as Chair of Executive Board) regarding the Committee's concerns, and that a response had been received from Councillor Brett which assured the Committee that he would help to ensure that the recommendations of the internal audit report are implemented, and that he would continue to monitor progress on the action plan with the Assistant Chief Executive (Corporate Governance).

The Assistant Chief Executive (Corporate Governance) informed Members that in relation to Minute 140(d), a risk relating to unlawful decision making was already in the Corporate Risk Register. In relation to Minute 140(b), Members were assured that the Head of Governance Services and the Head of Internal Audit would meet to agree an action plan to address the recommendations of the internal audit report. The need to review the processes involved in delegated decision making and provide further training had also been included in the Annual Governance Statement, which would be considered at agenda item 12.

8 Standards Committee Annual Report 2008/09

The Chair of the Standards Committee introduced this item, which presented the Standards Committee annual report 2008/09 for Members' information.

Members particularly discussed:

- The meaning of 'other action', and its potential benefits and drawbacks;
- The need to make Local Assessment training mandatory for Standards Committee members;
- The number of complaints received, which was considered to be low when compared with the number of Leeds City and Parish Councillors. Members also requested further information in relation to how many Councillors the complaints involve, and how many complaints had been received per ward;
- The Officer Code of Conduct, and the need for the Council's Officer Code to be reviewed despite the delay in the release of a national Officer Code by the Department for Communities and Local Government; and
- The Standards Committee's interaction with other Standards Committees in the region.

RESOLVED -

- (a) That the Standards Committee Annual Report 2008/09 be noted;

Final minutes approved at the meeting
held on Wednesday, 29th July, 2009

- (b) That General Purposes Committee, having consulted with the Standards Committee and Member Management Committee, be recommended to make Local Assessment training compulsory for members of the Standards Committee;
- (c) That further discussions be held regarding providing the Committee with further information in relation to the complaints received (such as the number of Councillors involved and the number of complaints per ward);
- (d) That the Council's Officer Code of Conduct be reviewed in order to ensure that it is fit-for-purpose, and that an update be provided with the next 6-monthly Standards Committee update report; and
- (e) That a copy of the current Officer Code of Conduct be sent to members of the Committee.

9 Member Development Annual Report 2008/09

The Head of Scrutiny and Member Development presented a report of the Chief Democratic Services Officer introducing the Member Development Annual Report 2008/09. As Chair of the Member Development Working Group, Councillor Latty also highlighted some issues from the Annual Report, including Personal Development Plans for Members, the introduction of a Members' Handbook and political awareness training for officers.

Members discussed the need for all relevant Members to attend licensing and planning training, and were informed that should a Member not attend, the relevant Group Whip would be notified. It was also requested that the external conferences and seminars table should clarify why a particular conference was not attended (where applicable), and whether the travel costs were refunded.

Further to Members' queries, it was confirmed that all Scrutiny Board members would receive training, however the Health Scrutiny Board had been prioritised due to its complexities. Members were also informed that any external training provided could be discussed with Member Development as part of the Personal Development Plan process, and that the Member Development Officer would create a list of the training undertaken by each Member, including any training provided by the Council's partner authorities.

RESOLVED – That the Member Development Annual Report 2008/09 and the assurances it provides regarding developing the capacity of Members to be effective in accordance with the Council's Code of Corporate Governance be noted.

10 KPMG Scrutiny Review

The Assistant Chief Executive (Corporate Governance) submitted a report summarising the key findings from KPMG's recent audit of the Council's Overview and Scrutiny arrangements.

Representatives from KPMG were in attendance to present the report and respond to Members' questions. Members were informed that the report had been presented to the Council's Scrutiny Boards, and that it would be presented to the next Executive Board meeting.

Members particularly discussed:

- Their uncertainty in relation to the Scrutiny Boards' involvement in policy development;
- The need to have a job description and person specification rather than a job specification;
- The quality of the discussions held by Scrutiny Boards, which it was felt could be improved; and
- Their concern at the expectation placed upon Scrutiny Board members in terms of the time commitment required.

RESOLVED –

- (a) That the assurances provided with regards to the Council's Overview and Scrutiny arrangements be noted; and
- (b) That a future report be submitted regarding the actions taken as a result of KPMG's report.

11 Annual Monitoring of Key and Major Decisions

The Head of Governance Services presented a report of the Chief Democratic Services Officer providing assurances to the Committee with regards to the administration of Key and Major decisions notified to Democratic Services during the financial year 2008/09.

Members particularly discussed:

- The need to ensure that the background papers (in relation to delegated decisions) provide the required evidence and demonstrate that consultation has been undertaken regarding the decision where appropriate;
- Their concerns regarding the number of key decisions that did not appear on the Forward Plan, and the importance of addressing this outcome. It was also requested that an update report be provided in 6 months in order that the Committee can continue to monitor this issue; and
- The importance of this report and the Committee in highlighting where governance issues exist and need to be addressed.

The Committee was informed that annual reports would be provided in future in relation to planning and licensing decisions. These are classed as Council functions and had not formed part of the report of the Head of Governance Services.

RESOLVED –

- (a) That the number of delegated decisions taken during the period 1 April 2008 and 31 March 2009, the number of those that were exempt from call-in and the reasons why be noted;

Final minutes approved at the meeting
held on Wednesday, 29th July, 2009

- (b) That the number of key decisions that did not appear in the Forward Plan of Key Decisions be noted;
- (c) That the assurances provided by the Head of Governance Services be noted;
- (d) That the actions taken in response to the issues raised by the recent Internal Audit report be noted;
- (e) That future annual reports in relation to planning and licensing decision making be requested; and
- (f) That an update report regarding the monitoring of key and major decisions be submitted in 6 month's time.

12 Corporate Governance Statement 2009

The Assistant Chief Executive (Corporate Governance) presented a report presenting the Corporate Governance Statement 2009 for approval.

Members were informed that a more robust process for gathering information for the evidence framework would be identified and used in producing next year's statement.

Members' attention was drawn to several sections of the Corporate Governance Statement, including the governance assurances and areas for improvement.

RESOLVED – That the Corporate Governance Statement 2009 be approved, and that the Leader of Council, Chair of Corporate Governance and Audit Committee, Chief Executive and Assistant Chief Executive (Corporate Governance) be authorised to sign the document on behalf of the Council.

13 KPMG Interim Audit Report on the Statement of Accounts

The Principal Financial Manager presented a report of the Director of Resources summarising KPMG's planning and interim audit work at the Council in relation to the 2008/09 financial statements.

RESOLVED – That the report and the officer actions and timeframes for completion be noted.

14 Statement of Accounts 2008/09

The Principal Financial Officer presented a report of the Director of Resources introducing the 2008/09 Statement of Accounts for Leeds City Council for approval.

Members were informed that there were a number of presentational errors, which would be amended prior to the publication of the Accounts. The deficit on the Income and Expenditure Account was explained in more detail, as were the actions taken in relation to the audit issues from 2007/08.

(At this point in the meeting, Councillor Driver declared a personal interest as a Governor of South Leeds High School.)

Members requested that the statement in relation to there being no schools in deficit which are subject to special measures, be checked for accuracy. Members noted that Teachers and non-Teachers remuneration had been recorded separately, and discussed the reasons why there was a higher number of teachers earning over £50,000 than in the previous year.

RESOLVED – That the 2008/09 Statement of Accounts be approved, and the Chair acknowledge the approval on behalf of the Committee by signing the appropriate section within the Statement of Responsibilities on page 1 of the Accounts.

15 Annual External Audit and Inspection Plan 2009/10

The Chief Officer (Audit and Risk) presented a report of the Director of Resources, presenting for Members' approval the External Audit and Inspection Plan for 2009/10.

Members were informed that the audit fee scale is set by the Audit Commission, and that KPMG's fee for 2009/10 is 18% below the fee line, as the Council achieved a score of 4 in its last Use of Resources assessment. The aims of the Sustainability review were also explained in more detail.

Adrian Lythgo, the Council's Engagement Lead at KPMG, informed the Committee that he would be leaving KPMG shortly, and thanked Members for their cooperation. The Chair expressed his appreciation for the support that had been provided to the Committee.

RESOLVED – That the External Audit and Inspection Plan for 2009/20 be agreed.

16 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2009/10.

Members highlighted the need for the report on the governance arrangements of Leeds City Region, in order that the Committee can be informed of the structures in place, whether they are fit-for-purpose, and whether they allow the necessary information to be passed on to all Members.

It was also confirmed that a report regarding the governance arrangements of the Council's subsidiaries would be submitted to the Committee, and that discussions would be held with Children's Services in order to determine when it would be appropriate to submit a report regarding the governance arrangements of Children's trusts.

RESOLVED –

Final minutes approved at the meeting
held on Wednesday, 29th July, 2009

- (a) That the draft work programme for the remainder of the municipal year be noted;
- (b) That a report be added to the Work Programme in relation to the governance arrangements of the Council's subsidiaries; and
- (c) That discussions be held with Children's Services in order to determine when it would be appropriate to submit a report regarding the governance arrangements of Children's trusts.

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Corporate Governance and Audit Committee

Wednesday, 29th July, 2009

PRESENT: Councillor J Bale in the Chair
Councillors G Driver, P Grahame,
N Taggart, C Campbell, G Kirkland,
T Leadley, A Lowe and R D Feldman

Apologies Councillors M Wilkinson, D Blackburn and
G Latty and Mr M Wilkinson

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

There were no late items added to the agenda.

20 Declaration of Interests

Councillors Driver and Lowe declared an interest in item 8 of the agenda (Minute 25 refers) as a Board member of Aire Valley Homes ALMO and West North West Homes ALMO respectively.

21 Apologies for Absence

Apologies for absence from the meeting were received on behalf of Councillors Blackburn and Latty, and Mr Mike Wilkinson. The Chair welcomed Councillor Feldman who was in attendance as a substitute for Councillor Latty.

22 Minutes of the Previous Meeting

RESOLVED – The minutes of the Corporate Governance and Audit Committee meeting held on 30th June 2009 were approved as a correct record.

(Councillors Campbell and Grahame arrived at 10.05am during this item.)

23 Matters Arising

Further to Minute 10, Members raised concerns regarding the quality of KPMG's report and the reliability of the assurances provided. It was agreed that officers should liaise with KPMG regarding these concerns, in order to ensure that future reports are evidence based (and show that the evidence has been tested), and clearly set out the assurances that are being provided. It was also agreed that the Committee would be kept informed of the actions taken regarding this issue.

24 Minutes of the Standards Committee

Further to Minute 14, Members discussed the reasons why the Standards Committee had resolved not to inform the Subject Member of the existence of a complaint prior to the meeting of the Assessment Sub-Committee meeting, and were assured that they would be consulted prior to this decision being reviewed by the Standards Committee in October 2009.

RESOLVED - That the minutes of the Standards Committee meeting held on 8th July 2009 be noted.

25 ALMO Inspection Action Plans

The Head of Strategic Landlord presented a report of the Chief Housing Services Officer advising the Corporate Governance and Audit Committee of the actions taken by the ALMOs and Strategic Landlord to address the recommendations in the 2008 Audit Commission Inspection reports.

Members particularly discussed:

- The consequences for Leeds of a 1 star rating, which was achieved by two of the ALMOs;
- Whether accountability for the ALMOs' performance ultimately rests with Strategic Landlord or the ALMOs;
- Their concerns regarding the independence of the ALMOs, and the Council's involvement in some operational issues;
- Whether the other two ALMOs would be placed at a disadvantage in the review of the future of council housing, should Aire Valley Homes use its 2 star status to manage newbuild stock;
- The impact any potential merging of the ALMOs would have on the 2 star rating of Aire Valley Homes; and
- The nature of the inspection process, and the lack of consistency in the outcomes reported.

The Committee was informed that an ALMO Governance workshop had been held by officers in Corporate Governance and Strategic Landlord, in order to seek clarity in relation to the ALMO governance framework. The Head of Strategic Landlord had agreed to undertake some further work in order to ensure that the Management Agreement and monitoring arrangements are clear and fit-for-purpose.

Members requested that the Head of Strategic Landlord also undertake further work with the ALMOs regarding their responsibilities in relation to prospective tenants, which had not been raised in the inspection reports.

RESOLVED – That the actions being taken to address the inspection recommendations be noted.

26 Belle Isle Tenant Management Organisation - Governance Arrangements

The Head of Strategic Landlord presented a report of the Chief Housing Services Officer informing Members of the history and governance arrangements for Belle Isle Tenant Management Organisation (BITMO).

Members particularly discussed:

- The Council's relationship with BITMO, and how this differs to the relationship with the ALMOs;
- The reasons why the Modular Management Agreement (MMA) had been finalised under the previous Right to Manage guidance. It was confirmed that Strategic Landlord were currently working with BITMO and officers in Legal, Licensing and Registration to review the MMA under the latest guidance; and
- Their concern that some Residents' Associations have been contacted regarding setting up a Tenant Management Organisation where this may not be appropriate, and that the Council is unable to stop this process.

Members requested that further reports be presented to the Committee during the current municipal year regarding the ALMO re-inspections, the upcoming BITMO tenants' ballot and the issue of Residents' Associations being approached to set up Tenant Management Organisations.

RESOLVED –

- (a) That the report be noted; and
- (b) That further reports be submitted to the Committee in the current municipal year regarding any governance implications arising from:
 - (i) the ALMO re-inspections;
 - (ii) the upcoming BITMO tenants' ballot; and
 - (iii) the issue of Residents' Associations being approached to set up Tenant Management Organisations.

27 KPMG Health Inequalities Report

The Deputy Director (Partnerships and Organisational Effectiveness) presented a report of the Director of Adult Social Services, detailing the findings of KPMG's review of health inequalities.

A representative of KPMG was in attendance to respond to Members' questions.

Members particularly discussed:

Draft minutes to be approved at the meeting
to be held on Wednesday, 30th September, 2009

- The need to be assured that the actions being taken as a result of the audit would improve the City's health inequalities statistics, particularly the gap between the two wards with the highest and lowest life expectancy;
- Their disappointment that the report hadn't addressed mental health issues, which has a link to life expectancy;
- The need for NHS Leeds to work in partnership with the Council in achieving the recommendations of the audit report;
- Their concern that health (and other) strategies and policies appear not to be consistently taken account of in decision making and might therefore not be having as great an impact at 'grass roots' level as they could be;
- The need to address all factors affecting mortality rates, which are multiple, as well as to focus on areas where a difference can be made, such as infant mortality rates; and
- The importance of providing services that meet the needs of all communities.

The Committee was informed that KPMG would look at the progress made on the action plan as part of their work for 2009/10. Members highlighted the need for all Area Committees to be involved in addressing health inequalities, and for a more detailed analysis of the causes of the current position to be undertaken.

RESOLVED –

- (a) That the findings of KPMG's audit on health inequalities be noted; and
- (b) That the preparation of joint action plans for areas where work is not already in hand be noted.

(Councillor Taggart arrived at 11.10am, and Councillor Campbell left the meeting at 11.30am, during the consideration of this item.)

28 Annual Internal Audit Report

The Head of Internal Audit presented a report of the Director of Resources bringing to the Committee's attention issues raised by Internal Audit in the annual report for 2008/09 and the proposed internal audit plan for 2009/10.

In relation to the results of the Internal Audit customer satisfaction questionnaires, Members requested that the actual number of officers involved also be presented, as the percentages alone were not meaningful.

Members also discussed the possible reasons why the number of whistleblowing referrals had increased by 61% from 2007/08 to 2008/09. Members also requested that a further report be submitted to the Committee in 6 month's time regarding the work undertaken in relation to the Strategic Landlord Management and Assurance Framework.

RESOLVED –

- (a) That the Annual Internal Audit report 2008/09 be received, and the opinion on the control environment be noted;
- (b) That the 2009/10 internal audit plan be approved; and
- (c) That a further report be submitted in 6 month's time regarding the work undertaken in relation to the Strategic Landlord Management and Assurance Framework.

(Councillors Grahame and Lowe left the meeting at 12 noon during the consideration of this item.)

29 Review of the Effectiveness of the System of Internal Audit

The Head of Internal Audit presented a report of the Director of Resources presenting the review of the effectiveness of the Council's system of internal audit for 2008/09, and highlighting some areas for improvement in 2009/10.

It was confirmed that Internal Audit could review any area of the Council, however difficulties had been encountered in working with some of the ALMOs. Members reiterated the need for the Council's auditors to be as rigorous as possible, and the importance of the Committee working independently of the Executive Board.

RESOLVED –

- (a) That the report be approved; and
- (b) That the positive outcome of the review of the effectiveness of the system of internal audit be noted.

30 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2009/10.

RESOLVED – That the draft work programme for the remainder of the municipal year be noted.

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Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 19th August 2009

Subject: Amendments to the Standards Committee Terms of Reference

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 notify the Standards Committee of the consequential amendments to the Constitution which have been made arising from:
 - the resolutions of the Standards Committee on 8th July 2009;
 - amendments to the Local Government and Housing Act 1989; and
 - the implementation of the Standards Committee (Further Provisions) (England) Regulations 2009.
2. The Assistant Chief Executive (Corporate Governance) has authority to make any changes to the Constitution which are required:
 - as a result of legislative change; or
 - as a result of a decision of the council or executive to enable him/her to maintain it up to date; or
 - for the purposes of clarification only.
3. Members of the Standards Committee are asked to note the amendments to the Standards Committee Terms of Reference (attached as Appendix 1).

1.0 Purpose Of This Report

1.1 The purpose of this report is to notify the Standards Committee of the consequential amendments to the Constitution which have been made arising from:

- the resolutions of the Standards Committee on 8th July 2009;
- amendments to the Local Government and Housing Act 1989; and
- the implementation of the Standards Committee (Further Provisions) (England) Regulations 2009.

2.0 Background Information

2.1 On 8th July 2009 the Standards Committee considered a report on “Proposals for the creation of a Consideration and Hearings Sub-Committee”. The Standards Committee resolved to create a Hearings Sub-Committee to carry out the function of holding determination hearings, and that the consideration of final investigation reports should continue to be carried out by the Assessment Sub-Committee.

2.2 Section 202 of the Local Government and Public Involvement in Health Act 2007 amends Section 3 of the Local Government and Housing Act 1989. This is done by transferring the function of granting exemptions from political restriction on members of relevant authorities in England from an Independent Adjudicator appointed by the Secretary of State to Standards Committees. Section 202 of the Local Government and Public Involvement in Health Act 2007 came into force on 1st April 2008.

2.3 The Standards Committee has the power to consider and determine applications for dispensations. New regulations came into force on 15th June 2009 which contain new provisions to clarify the grounds on which Standards Committees may grant dispensations to local authority Members. The Standards Committee (Further Provisions) (England) Regulations 2009 revoke the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002.

2.4 In July 2009 the Standards Board for England changed their operating name to “Standards for England”. The current terms of reference also refer to a “Commission for Local Government”, it is proposed that this is changed to “Communities and Local Government” who are the relevant Government Department for consultations on Standards Committee issues.

3.0 Main Issues

3.1 The following amendments were required to the Standards Committee Terms of Reference to reflect the resolutions of the Standards Committee on 8th July 2009, the legislative changes listed above, and to keep them up to date:

- To amend paragraph 4 of the Terms of Reference to reflect the resolution that consideration of the final investigations reports and determination hearings will now be carried out by Sub-Committees of the Standards Committee;
- To add the functions of considering applications for exemptions from political restriction and giving directions to the Council requiring it to include a post in the list of politically restricted posts (new paragraphs 9 and 10);

- To amend footnote 9 to delete the reference to the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 which have been revoked, and to insert the reference to the Standards Committee (Further Provisions) (England) Regulations 2009; and
- To amend footnote 10 to delete the references to “the Standards Board for England” and “the Commission for Local Government”, and to insert references to “Standards for England” and “Communities and Local Government”.

3.2 The amended version of the Standards Committee Terms of Reference is attached as Appendix 1 to this report.

3.3 The Assistant Chief Executive (Corporate Governance) approved the amended Terms of Reference on 27th July 2009 by delegated decision.

4.0 Implications For Council Policy And Governance

4.1 It is in accordance with good governance principles to keep the constitution up to date. Under its Code of Corporate Governance, the Council is committed to ensuring that the necessary roles and responsibilities of those with responsibility for the governance of the Council are identified and allocated so that it is clear who is accountable for decisions that are made.

5.0 Legal And Resource Implications

5.1 The Assistant Chief Executive (Corporate Governance) has authority to make any changes to the constitution which are required:

- as a result of legislative change; or
- as a result of a decision of the council or executive to enable him/her to maintain it up to date; or
- for the purposes of clarification only.

5.2 The Assistant Chief Executive (Corporate Governance) considers that the above also provides the authority to make any changes to the Constitution resulting from a decision of a Council Committee.

6.0 Conclusions

6.1 This report outlines consequential amendments which have been made to the Council’s Constitution arising from:

- the resolutions of the Standards Committee on 8th July 2009;
- amendments to the Local Government and Housing Act 1989; and
- the implementation of the Standards Committee (Further Provisions) (England) Regulations 2009.

7.0 Recommendations

7.1 Members of the Standards Committee are asked to note the amendments to the Standards Committee Terms of Reference (which are attached as Appendix 1).

Background Documents

Minutes of the Standards Committee meeting on 8th July 2009

Standards Committee (Further Provisions) (England) Regulations 2009

Local Government and Public Involvement in Health Act 2007

Local Government and Housing Act 1989 (as amended)

The Standards Committee

The Standards Committee is authorised to discharge the following functions¹:

1. to advise the authority on the adoption or revision of a Code of Conduct for Members² and to promote, monitor and review the operation of the Members' Code of Conduct.
2. to consider and determine one or more local codes of conduct for Members or protocols for Member/officer relations³ and to promote, monitor, review and amend such codes of conduct or protocols;
3. to appoint sub-committees⁴ to consider and initially assess⁵ or review decisions not to act⁶ in respect of any written allegations⁷ made against Members;
4. to arrange for the consideration and determination of any complaints⁸ made against Members and the determination of any sanction to be imposed on a finding of misconduct;
5. to consider and determine applications for dispensations⁹;
6. to make recommendations to the Corporate Governance and Audit Committee where representations (on behalf of the Council) are required to be made to external agencies,¹⁰ about any matter relating to general principles of conduct, model codes of conduct and the codes of conduct or protocols approved from time to time by or on behalf of the Council and to make representations on its own behalf;

¹ 'Functions' for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The functions derive from Part 3 of the Local Government Act 2000 and are discharged both in relation to Leeds City Council and its Members, and parish councils wholly or mainly in its area and the Members of those parish councils.

² Section 54(2)(a) Local Government Act 2000

³ To be known as 'Local Codes'

⁴ Regulation 6, Standards Committee (England) Regulations 2008 No. 1085/2008

⁵ Section 57A Local Government Act 2000

⁶ Section 57B Local Government Act 2000

⁷ written allegations made by any person under section 57A Local Government Act 2000

⁸ "complaints" for these purposes to mean allegations of breach of

- the Members Code of Conduct adopted by Leeds City Council; or
- the National Code of Local Government Conduct where the alleged breach is committed before 5 April 2002; or
- any of the Authority's Local Protocols/Codes which refer to the conduct of Members, other than the Code of Conduct;

which have been the subject of an investigation resulting in a finding of failure to comply (or in relation to which the Standards Committee have resolved not to accept a finding of no failure to comply) and are therefore referred to the Committee by the Monitoring Officer

⁹ In accordance with the Standards Committee (Further Provisions) (England) Regulations 2009

¹⁰ Such external agencies may include, but are not restricted to, the District or Approved Auditor, Communities and Local Government, Standards for England, an Ethical Standards Officer, the Adjudication Panel for England or an adjudication case panel.

7. to provide advice and guidance to Members and officers and to make arrangements for training in matters relating to codes of conduct and protocols;
8. to consider and advise the Council with respect to the adoption or amendment of a Code of Conduct for Officers and to promote, monitor and review the Code of Conduct;¹¹
9. to consider any application for exemption from political restriction which is made to the Committee;¹²
10. on the application of any person or otherwise, to give directions to the relevant authority requiring it to include a post in the list of politically restricted posts.¹³

¹¹ It is not the function of the Committee to determine or become involved in individual officer conduct or disciplinary cases but rather to provide an overview of the application of the provisions of the Code across the Council.

¹² Section 3A(1)(a) of the Local Government and Housing Act 1989 (as amended by Section 202 of the Local Government and Public Involvement in Health Act 2007)

¹³ Section 3A(1)(b) of the Local Government and Housing Act 1989 (as amended by Section 202 of the Local Government and Public Involvement in Health Act 2007)



Originator: Laura Ford

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Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 19th August 2009

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

1.1 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 remainder of the municipal year 2009/10 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 2009/10

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
Meeting date: 15th October 2009		
Adjudication Panel Decisions/Notable Cases	Regular report detailing the most recent Adjudication Panel decisions and any other notable standards cases.	Senior Corporate Governance Officer Amy Kelly
Adjudication Panel Annual Report 2008/09	To receive a report advising Members of the Committee of the contents of the Adjudication Panel's Annual Report for the year ending 31 st March 2009.	Corporate Governance Officer Laura Ford
Standards Board for England Annual Review 2008/09	To consider a report outlining the contents of the Standards Board for England Annual Review 2008/09.	Corporate Governance Officer Laura Ford
Code of Practice for the Determination of Planning Matters	To receive an annual report outlining whether the arrangements set out in the Code have been complied with and any proposals for amendment in the light of any issues that have arisen throughout the year, and a review of the updated LGA Guidance on 'Probity in Planning'.	Chief Planning Officer Phil Crabtree
Breach of Local Codes	To receive a report setting out details in relation to the existence and status of Local Codes and Protocols contained within the Constitution, and inviting Standards Committee to consider the mechanisms used to determine complaints against Members in relation to Local Codes.	Principal Corporate Governance Officer Kate Sadler
Officer Code of Conduct	To receive a report informing Members whether the Officer Code of Conduct will be reviewed prior to the release of a national Code by the Department for Communities and Local Government.	Chief Human Resources Officer Lorraine Hallam

STANDARDS COMMITTEE - WORK PROGRAMME 2009/10

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
Meeting date: 16th December 2009		
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 the annual review of the Standards Committee Media Protocol.	Principal Corporate Governance Officer Kate Sadler
Standards Committee Communications Plan	To consider a report reviewing the Standards Committee Communications Plan including any proposals for amendment.	Corporate Governance Officer Laura Ford
Standards Committee Half Year Progress Report	To receive a report of the Assistant Chief Executive (Corporate Governance) on the work completed by the Standards Committee in the last six months to be reported to the Corporate Governance and Audit Committee in February 2010.	Corporate Governance Officer Laura Ford
Review of Effectiveness of Standards Committee	To receive a report considering the effectiveness of the Standards Committee.	Head of Governance Services Andy Hodson
Ethical Audit Action Plan – HR Actions Update	To receive a report updating Members on the HR Actions from the Ethical Audit Action Plan, including the Staff Survey and the 360 Degree Managers' Appraisals.	Human Resources Manager Alex Watson
Review of Local Assessment Procedures	To receive a report providing details of the outcomes of the review of the Local Assessment procedures (including notifying subject Members of the existence of a complaint).	Senior Corporate Governance Officer Amy Kelly

STANDARDS COMMITTEE - WORK PROGRAMME 2009/10

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
Meeting date: 17th February 2010		
Draft Standards Committee Annual Report 2009/10	To seek Members' input on content of the Standards Committee annual report 2009/10. The report provides proposals and suggestions for content, and a draft report.	Corporate Governance Officer Laura Ford
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.	Senior Corporate Governance Officer Amy Kelly
Standards Committee Training Plan	To receive a report reviewing the Standards Committee training plan, and seeking the Committee's approval of any amendments to the plan.	Corporate Governance Officer Laura Ford
Local Assessment Progress Report	To receive a six-monthly progress report in relation to Local Assessment.	Corporate Governance Officer Laura Ford
Meeting date: 22nd April 2010		
Final Standards Committee Annual Report 2009/2010	To seek Member's approval for the final draft of the Standards Committee Annual Report 2009/2010.	Corporate Governance Officer Laura Ford
Adjudication Panel Decisions/Notable Cases	Regular report detailing the most recent Adjudication Panel decisions and any other notable standards cases.	Senior Corporate Governance Officer Amy

STANDARDS COMMITTEE - WORK PROGRAMME 2009/10

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
		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 under paragraph 3.2, and in respect of reports where s/he decided that no further action should be taken, under paragraph 4.1. 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
Parish Council Annual Audit 2009	To consider a report on the results of the Parish Council Annual Audit and proposals for addressing these results.	Senior Corporate Governance Officer Amy Kelly

STANDARDS COMMITTEE - WORK PROGRAMME 2009/10

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
Member Code of Conduct	Approval of a revised Leeds City Council Member Code of Conduct following receipt of the Model Code.	Principal Corporate Governance Officer Kate Sadler
Protocol for Elected Members/Officer Relations and Protocol for Elected Members / Education Leeds Relations ³	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. The Monitoring Officer will also report on any amendments made to the various codes of practice referred to in the Protocols which have been made since the last report.	Senior Corporate Governance Officer Amy Kelly

¹ Consultation on the new officer Code of Conduct closed on 24th December 2008. It is anticipated that the new Officer Code will be released in Summer 2009.

² Regulations regarding this process are not due to be released until later in 2009.

³ To be submitted after the new Officer Code has been released

STANDARDS COMMITTEE - WORK PROGRAMME 2009/10

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
Increased Interaction between the Standards Committee and the Council's Leadership	To receive a report presenting proposals to increase interaction between the Standards Committee and the Council's Leadership.	Corporate Governance Officer Laura Ford