

Standards Committee

Wednesday, 6th July, 2011

PRESENT:

Independent Members

Gordon Tollefson (Chair)
Joanne Austin
Philip Turnpenny

Councillors

C Campbell	J Harper	J Dowson
B Gettings	E Nash	R D Feldman

Parish Members

Councillor Paul Cook	Morley Town Council
Councillor Mrs P Walker	Pool in Wharfedale Parish Council

APOLOGIES:

B Selby

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

There were no resolutions to exclude the public.

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 held on 16th February 2011 were approved as a correct record.

Further to minute 23, the Chair informed the Committee that Member Management Committee had considered the proposed amendments to the Members' Email Code of Practice on 29th March 2011, and had supported the proposed amendments. The revised version had subsequently been approved by the Director of Resources on 5th July 2011.

Further to minute 26, the Chair reported that it had been agreed with the Chair of the Corporate Governance and Audit Committee that the Standards Committee would no longer receive the minutes of Corporate Governance and Audit Committee meetings as part of its agenda.

Further to minute 27(c), the Chair confirmed that all Standards Committee Members had received an email on 23rd February 2011 from the Head of Human Resources informing them of the timeframe for the review of the Employee Code of Conduct. Some Members of the Standards Committee stated that they had not received the email, and therefore it was agreed that the Committee Clerk would circulate the email for a second time.

Finally, further to minute 30(b), the Chair confirmed that the Standards Committee Annual Report had been presented to the Corporate Governance and Audit Committee at their meeting on 15th June 2011.

6 Minutes of the Assessment Sub-Committee

The minutes of the Assessment Sub-Committee meeting held on 27th April 2011 were received and noted.

7 Appointment of Sub-Committees following the Annual Council Meeting

The Senior Corporate Governance Officer presented a report of the City Solicitor asking the Standards Committee to re-appoint its Sub-Committees for the 2011/12 municipal year. The report explained that the terms of reference and membership of all Council Committees are approved at the Annual Council Meeting each year, and that those Committees must then in turn approve the terms of reference and membership of any of their sub-committees before those sub-committees can meet.

Members particularly discussed the membership of the Assessment and Review Sub-Committees, and specifically whether a Parish Member should be present when the Sub-Committees were assessing or reviewing a complaint against a Leeds City Councillor. It was outlined that it had been the Council's custom and practice to seek the full potential membership of the Sub-Committees wherever possible, which includes a Parish Member.

Some Members felt that if the attendance of Parish Members was not required by the Regulations, they should not be present because they did not properly understand the role of a City Councillor or the different pressures faced by them, and that this had led to complaints being referred for further action when it was unnecessary. Other Members of the Committee felt that the inclusion of Parish Members added to the openness of the process and that they brought a wealth of experience from meetings outside of the City Council which was valuable. It was also acknowledged that the Parish Members had often agreed to sit on Assessment and Review Sub-Committees in order to make up the quorum when City Councillors were unavailable.

Members of the Standards Committee voted on the proposal that if the Sub-Committee meeting would be quorate without a Parish Member, they should not be invited to attend. The majority of Members voted against this proposal.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Approve the terms of reference of the Assessment Sub-Committee, Review Sub-Committee, Consideration Sub-Committee, and Hearings Sub-Committee (Appendices 1 to 4 to the report); and
- (b) Approve the membership of the Sub-Committees as set out in Article 9 of the Constitution (Appendix 5 to the report).

8 Members' Induction Period 2011

The Senior Corporate Governance Officer presented a report of the City Solicitor providing the Standards Committee with information about the Members' induction period following the local elections in May 2011, specifically regarding Members' Acceptance of Office forms, completion of the Register of Interests, and training on the Members' Code of Conduct.

Members discussed the following issues:

- The consequences of non-compliance with the relevant deadlines set out in the report for Members to complete the required paperwork. It was outlined that those Parish and Town Councillors who did not complete their Acceptance of Office forms before or at the first meeting or within the deadline set by their Parish or Town Council had lost their seats on the Council and steps had been taken to begin the process of filling the resulting vacancies.
- Whether any training had been offered to new Parish and Town Councillors, particularly in relation to the Code of Conduct. It was reported that the intention of the Localism Bill is to give Parish and Town Councils autonomy over their ethical arrangements and that they can choose not to have a Code of Conduct at all. The Head of Governance Services explained that due to the anticipated changes, no training on the Code of Conduct was currently planned for Parish and Town Councillors, but that if requests were received from Parish and Town Councils, these would be considered. It was agreed that officers would investigate the possibility of Parish and Town Councillors being invited to attend training sessions arranged by Member Development. It was also outlined that officers from

within Democratic Services and Elections had begun working together to plan a rolling programme of induction sessions for new Parish and Town Council Clerks to ensure that they are aware of their responsibilities surrounding election procedures and the Code of Conduct.

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

9 Consultation on the Localism Bill - standards of conduct

The Head of Governance Services presented a report of the City Solicitor providing an update on the proposals in the Localism Bill about ethical governance issues, and outlining the results of the first round of consultation with various stakeholders on the future of the ethical framework in Leeds.

Members discussed the following issues:

- That it would be helpful if the Committee could have information regarding how much the complaints process has cost the Council in the past alongside the projected costs for the two likely options set out in the report (excluding regional arrangements). Members felt that this information should be presented to everyone being asked to consider the options set out in the report.
- Whether Parish and Town Councils would be asked to pay to join any arrangements set up by Leeds City Council, and how this may present problems for Parish and Town Councils with limited budgets. It was outlined that allowing Parish and Town Councils to utilise any complaints process administered by Leeds City Council would present a cost to the Council, and as the Localism Bill would remove the City Council's responsibility towards Parish and Town Councils in Leeds in relation to ethical standards, this may not be a cost that Leeds City Council would be able to absorb. It was agreed that it would be helpful to have a representative of the Parish and Town Councils involved in the consultation on the proposals, perhaps through the Parish and Town Council forum.
- The other existing legal frameworks which would apply to Members giving employees or the public another method of redress. However, some Members felt that these methods were not as accessible as the Code of Conduct complaints process, and that this may leave employees of small Parish or Town Councils vulnerable to bullying by Parish or Town Council Members.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the outcome of the initial consultation exercise; and
- (b) Note the timetable for further consultation contained in Appendix 2 to the report.