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## Report of Assistant Chief Executive (Corporate Governance)

### Standards Committee

Date: 12<sup>th</sup> July 2007

Subject: Members' Induction Period 2007

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#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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### Executive Summary

1. It is part of the Standards Committee's responsibilities to make arrangements for training in matters relating to the Code of Conduct and local codes and protocols. This report makes Members of the Committee aware of the following issues relating to the Members' induction period:
  - New Members' declaration of acceptance of office and undertaking to comply with the Code of Conduct;
  - Information on the Members' register of interests;
  - Training of Members; and
  - Parish and Town Councils.
2. Members of the 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 inform Members of the Committee of the following issues:

- New Members' declaration of acceptance of office and undertaking to comply with the Code of Conduct;
- Information on the Members' register of interests;
- Training of Members; and
- Parish and Town Councils.

## **2.0 Background Information**

2.1 It is part of the Standards Committee's responsibilities to review and make arrangements for training in matters relating to the Code of Conduct and local codes and protocols. This report therefore provides information about the Members' induction period for 2007.

2.2 On 4<sup>th</sup> May 2007, twenty eight Councillors were re-elected and five new Councillors were elected. All thirty three Members were required to complete two pieces of paperwork within 28 days. These were:

- Their declaration of acceptance of office and undertaking to comply with the Code of Conduct; and
- Their register of interests entry.

2.3 On 24<sup>th</sup> May 2007, the Council met for their annual meeting. The Standards Committee had previously met on 1<sup>st</sup> May 2007 in order to recommend to Council that they adopt the new Code of Conduct at the annual meeting. The Council agreed to adopt the new Code with immediate effect. Therefore all ninety nine Councillors and the ten voting co-opted members were required to re submit their register of interests entry within 28 days of the annual meeting.

2.4 Members were also invited to attend a series of training sessions on a variety of issues. A copy of the induction leaflet detailing the courses available is attached at Appendix 1 to this report.

2.5 In addition to the regular training offered in the induction period, a programme of training on the new Code of Conduct has also been devised and implemented for all Councillors, co-opted members, Parish and Town Clerks and Parish and Town Councillors. The schedule of training is attached as Appendix 2 to this report.

## **3.0 Main Issues**

### Declaration of acceptance of office

3.1 In Leeds, all thirty three Members were required to complete the following pieces of paperwork within 28 days of their election or re-election:

- their declaration of acceptance of office and undertaking to comply with the Code of Conduct; and
- their register of interests entry.

- 3.2 Members were provided with all forms within their induction pack, which included instructions as to where documents should be handed in and the relevant deadlines for completion.
- 3.3 The completed declarations of acceptance of office and compliance with the Code of Conduct are retained by Democratic Services and stored in a book. Members were required to return their form or sign the book itself by 31<sup>st</sup> May 2007. All Members complied with this deadline.
- 3.4 In accordance with the report presented to the Standards Committee on 26<sup>th</sup> July 2006, a new system was implemented this year to control and monitor the completion of the declarations of acceptance of office in order to comply with the Code of Conduct.
- 3.5 Although completion of the form is required prior to attendance at the annual meeting, an initial risk assessment highlighted a number of other meetings, prior to the annual meeting, that returning Members would be attending for which they would also need to have completed the declaration of acceptance. A prioritised schedule was produced highlighting key dates and Councillor attendance. The Democratic Services Officer coordinated the return of completed forms and was responsible for keeping all key stakeholders fully informed with an updated position statement.
- 3.6 Following the adoption of the new Code of Conduct at the Annual Meeting on 24<sup>th</sup> May, existing Members did not need to re sign their undertaking to comply with the Code of Conduct as this is worded as follows:

“I undertake to observe the code as to the conduct which is expected of members and co-opted members of Leeds City Council”

therefore allowing the Council to amend the Code without requiring Members to re sign.

#### Register of Interests

- 3.7 The completed register of interests forms are retained by Governance Services. Members were required to complete and return this form within 28 days of their election or re-election. All completed register of interests forms were received by the deadline.
- 3.8 As reported to the Committee on 26<sup>th</sup> July 2006, a new system was implemented this year to ensure that Members complied with the deadline. The Group Support Managers and Group Whips were involved in the process of issuing reminders to Members, reminders were issued every week during the 28 days, and in the final week reminders were issued every day to those Members who still had not returned their completed forms. This system was successful in ensuring Members did not breach the Code of Conduct.
- 3.9 Following the adoption of the new Code of Conduct at the Annual Meeting on 24<sup>th</sup> May, all Members and Co-opted Members of the Council were required to resubmit their register of interests. In order to assist Members with this task, the registers were amended in order to comply with the new Code before they were sent to Members for checking. Members were then simply asked to sign a form to state that they had checked their register entry and that it was correct.

- 3.10 Members were further assisted in this by the training sessions on the new Code of Conduct. Those Members who attended a training session prior to the deadline for returning the register (21<sup>st</sup> June), were provided with a copy of their register and given help and guidance from officers during the training to amend their form. The Group Support Managers were also involved in the process of completing the forms and Members were supplied with copies to complete during their group meetings.
- 3.11 107 out of 109 Members and Co-opted Members submitted their register entries within the deadline for the new Code of Conduct. One Member posted his form prior to going on holiday, but unfortunately the letter was never received, and the other Member (who was first elected in May 2007) was having problems with his email system and was confused about the need to re complete his entry within such a short timescale.
- 3.12 Members of the Committee may wish to note that as the category of gifts and hospitality received is now part of register of interests, the separate register of gifts and hospitality will no longer be maintained.

#### Training for Members

- 3.13 All newly elected and existing Members were invited to take part in a series of training courses during the induction period. This programme was heavily advertised both prior to the election as well as by individual invite to the new Members, once they were known. The programme also appears on the Member Development intranet site and all existing Members were sent the induction programme leaflet as part of one of their usual weekend packages of papers.
- 3.14 All newly elected Members took part in the induction programme to varying degrees and a few existing Members attended some courses such as 'Planning for Members' and 'Gambling Act'. Initial feedback suggests that some new Members were not certain that they would be elected and, therefore, had not booked time off work to enable them to attend induction events, or had other commitments. In these cases, a number of one to one sessions were arranged to cover the key aspects of induction (finding your feet, scrutiny, code of conduct).
- 3.15 As in previous years, a questionnaire will be sent out to Members who participated in the induction period to seek their views on how the events could be improved for the next programme.

#### Training on the new Code of Conduct

- 3.16 The Code of Conduct training provided during the induction period to newly elected Members was provided on the provisions of the new Code in anticipation of the Code being adopted by the Council at the Annual Meeting. However all other Members and Co-opted Members still required training.
- 3.17 A series of six training sessions on the new Code of Conduct took place during June 2007. All Members and Co-opted Members of the Council were encouraged to attend one of these events. The total of Members who attended these training sessions will be reported at the Committee meeting.
- 3.18 Some of those Members who are members of regulatory committees or panels have also received training on the new Code through the compulsory 'Governance and

Conduct' training. Seven of these Members have attended a session which contains information about the new Code of Conduct.

- 3.19 All Members have also been offered the guidance booklet and pocket guide from the Standards Board on the new Code of Conduct, and a new e-learning module on the provisions of the new Code is currently being drafted.

#### Parish and Town Councils

- 3.20 As Members will be aware, all Parish and Town Councils held elections this year. In order to assist Parish and Town Council clerks with the induction process, an induction pack was created for Parish and Town Councils at the request of the Parish and Town Council Liaison Forum. This included:

- Checklist of forms to return
- Declaration of acceptance of office form
- Copy of model Members' Code of Conduct for Parish and Town Councils
- Register of Interests form
- Register of Interests guidance
- Briefing note on gifts and hospitality
- Leeds City Council Standards Committee Annual Report 2006/2007
- Standards Board for England Guidance -
  - The Code to protect you
  - How do I register and declare interests, and register gifts and hospitality?
  - Lobby groups, dual-hatted Members and the Code of Conduct
- Copy of "The Good Councillor's Guide" by the National Association of Local Councils
- Copy of "Parish Council Toolkit" by the Association of Council Secretaries and Solicitors

- 3.21 All Parish and Town Councillors were also given the opportunity to attend relevant induction sessions being held by Leeds City Council, although none attended.

- 3.22 Parish and Town Council Clerks were asked to confirm that all their Members had completed their declaration of acceptance of office and their register of interests form within the relevant timescales. Twelve out of thirty Parish and Town Councils have responded to the question, but were not always able to confirm that the declaration of acceptance of office and the register of interests had been completed within the relevant timescales.

- 3.23 The rules surrounding declaration of acceptance of office state that Members must complete their form in front of the proper officer of the Council (the Clerk in the case of Parish or Town Councils) prior to taking part in any meeting of the authority or within two months of the election<sup>1</sup>. Ten Parishes were able to state that the forms were completed at or before the first meeting. The other two Parishes had forms outstanding due to Councillors having been away, but one was able to confirm that they would be completed prior to the deadline of 4<sup>th</sup> July 2007.

- 3.24 Five Parishes stated that they had completed the register within 28 days of the election. Five Parishes anticipated that the registers would be completed within 28 days of their Council adopting the new Code of Conduct. One Parish Council could not confirm that the registers had been completed within 28 days of the election,

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<sup>1</sup> Section 83 Local Government Act 1972.

and was unconcerned about the resulting breach of the Code of Conduct. Of most concern was the discovery that one Parish Council has never had a register of interests. This has hopefully now been addressed, but an audit of Parish and Town Councils will be carried out following their adoption of the new Code.

- 3.25 Further letters have been sent to those Councils who have so far failed to respond, to reiterate the consequences of failing to complete either the declaration of acceptance of office (resulting in the Member no longer being a Councillor and a casual vacancy arising), or the register of interests (a breach of the Code of Conduct). In order to prevent this situation arising next year, Clerks will be provided with blank hard copies of the forms several weeks prior to the election, as well as a briefing note explaining how they should be completed. Clerks will also be provided with a check list which will need to be completed and returned to Democratic Services to show that the relevant deadlines have been complied with.
- 3.26 In order to assist Parish and Town Councils with preparing for the new Code of Conduct two training sessions for Clerks only were provided on 15<sup>th</sup> and 23<sup>rd</sup> May. A total of 12 Clerks attended these sessions which provided practical advice on how to implement the new Code as well as guidance on its provisions. Members may wish to note that there does not appear to be a correlation between those Clerks who did not attend this training, and those Clerks who either failed to respond to the letter or whose Members failed to comply with the deadlines.
- 3.27 In order to train Parish and Town Councillors a series of localised sessions took place in June. These were held in Pool-in-Wharfedale, Morley, Wetherby, Shadwell and Kippax. The total number of Parish and Town Councillors who attended these sessions, and the number of Parish and Town Councils represented at the sessions will be reported to the Committee at the meeting. Those Members who were unable to attend these sessions for whatever reason have been invited to attend a mop-up session to take place in Civic Hall in late July.
- 3.28 Parish and Town Council Clerks have also been asked to notify Leeds City Council once the new Code of Conduct has been adopted, and confirm that the register of interests has been re submitted by each Member. Seven Councils have confirmed that they have adopted the new Code of Conduct and all have completed the relevant paperwork.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 Ensuring that all Members are aware of their responsibilities as Councillors, such as complying with the Code of Conduct, is essential for good governance.
- 4.2 The exercise of asking Clerks to confirm that Members have completed their forms has revealed some issues and inconsistencies in the way that Clerks approach the issue of the Code. Despite regular reminders, case examples and training some Councillors have not registered their interests and in some cases have never been asked to. Also many Clerks do not consider the 28 day deadline to be particularly important. In order to ensure good governance and compliance with the Code in future, an audit of Parish and Town Councils will be carried out following the 1<sup>st</sup> October 2007.

## **5.0 Legal And Resource Implications**

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

## **6.0 Conclusions**

6.1 It is part of the Standards Committee's responsibilities to make arrangements for training in matters relating to codes of conduct and protocols. This report makes Members of the Committee aware of the following issues relating to the Members' induction period:

- new Members' declaration of acceptance of office and undertaking to comply with the Code of Conduct;
- training of all Members;
- information on the Members' register of interests; and
- information on the Members' register of gifts and hospitality.

## **7.0 Recommendations**

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