

Standards Committee

Annual Report 2007 – 2008



Introduction

The Local Government Act 2000 requires councils to set up a standards committee. Standards committees have a proactive role in creating an ethical framework which governs the relationship between high standards of conduct and transparency and openness in decision making.

This is the Committee's third Annual Report and it presents a summary of the Leeds City Council Standards Committee's work during 2007/2008. This report supports the Corporate Governance arrangements of the Council by promoting good conduct and cascading information.

Foreword from the Chair

I am pleased to provide the foreword to this third Annual Report of the Leeds Standards Committee. Readers will gain a good insight to our work during municipal year 2007/08.

We have accomplished a good deal during the year and the section on "Issues for 2008-09" indicates the important new responsibilities that will fall to the committee in the coming year. The Standards Committee welcomes comments or questions arising from this Annual Report.

M. Wilkison

Members of the Committee

The Standards Committee is composed of three independent members (there is currently one vacancy), five City Councillors, and two Parish Councillors.

Independent Members

The purpose of independent members is to help increase public confidence in ethical standards and provide a clear signal that the Standards Committee is fair. Independent members also bring a wider perspective to the Standards Committee from outside experiences. Independent members are not Members or officers of the Council, and are not actively engaged in local party political activity. They are appointed by the Full Council for terms of four years, and can serve two terms overall. This is to prevent them losing their independence from the authority.

Mike Wilkinson

has been an independent member and Chair of the Committee since 2002. Until 2001 he was a University Secretary and Clerk to the Board at Leeds Metropolitan University. He is a magistrate on the Leeds Bench and also acts as an Independent Assessor to the Student Loans Company. He is a Director of UNIPOL Student Homes. His final term of office runs until the Annual Meeting in 2010.



Rosemary Greaves

joined the Standards Committee in 2004 as a reserve independent member. Rosemary currently works for BT as a Business Manager specialising in business development and strategy which includes developing significant new business propositions or identifying potential acquisition requirements. Rosemary became a full independent member in 2007 and her current term of office runs until the Annual Meeting in 2011.



Cheryl Grant

joined the Standards Committee in 2003 as a reserve independent member, and became a full member in 2004. Cheryl resigned from the Standards Committee in October 2007. A replacement for her is currently being sought.

Leeds City Councillors

The Councillors on the Standards Committee are representatives of all five political groups within the Council. The Standards Committee is not politically balanced, this is because the standards committee should be above party politics and its members need to have the respect of the whole authority, regardless of their political party.

Councillor Les Carter

is a member of the Conservative Group and has been a Leeds City Councillor since 1974. He represents the Adel and Wharfedale ward on Leeds City Council and is also an Executive Board Member with responsibility for Neighbourhoods and Housing. Councillor Carter's areas of responsibility include housing policy and strategy, community safety, regeneration, homelessness and environmental health.



Councillor Elizabeth Nash

is a member of the Labour Group and has been a Leeds City Councillor since 1973. She represents the City and Hunslet ward on Leeds City Council, has been a member of the Committee since 2003, and is also a member of the City Centre Plans Panel.



Councillor Graham Kirkland

is a member of the Liberal Democrat Group and represents the Otley and Yeadon ward on Leeds City Council. He has been a Councillor for a total of 40 years, and was Lord Mayor from 1998-1999. Councillor Kirkland is also a member of the Health and Adult Social Care Scrutiny Board, and is the Chair of the Personnel and Training Committee of West Yorkshire Fire and Rescue Authority.



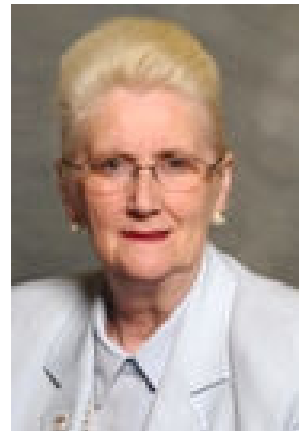
Councillor David Blackburn

is the Leader of the Green Group and represents the Farnley and Wortley ward on Leeds City Council. Councillor Blackburn is also a member of the Corporate Governance and Audit Committee, Development Plans Panel and the City Centre Plans Panel.



Councillor Judith Elliott

is a member of the Morley Borough Independent Group and represents the Morley South ward on Leeds City Council. Councillor Elliott is also a member of the Children's Services Scrutiny Board and a member of Morley Town Council.



Parish Councillors

The role of the Parish Councillors on the Standards Committee is to make sure that the parish and town councils in Leeds are represented throughout discussions. At least one of the Parish Councillors must sit on the Standards Committee at all times when parish matters are being discussed. As the Standards Committee also has responsibility for the Parish and Town Councillors in the Leeds area, the Parish Councillors on the Standards Committee demonstrate that parish issues are going to be dealt with fairly.

They also bring an additional independent perspective to the Committee as they are not able to be members of Leeds City Council.

Councillor Mrs Pat Walker

is a member of Pool-in-Wharfedale Parish Council which she was elected to for the first time 6 years ago. She is lead member on conservation matters. Previously a Harrogate District Councillor, she has been involved in politics at local, national and European levels. A business manager in Leeds and Harrogate for 25 years, she is now an active member of the Ruskin Society and is presently a Foundation Governor of Prince Henry’s Grammar School, Otley. Councillor Walker’s current term of office runs until the Annual Meeting in 2009.



Councillor John C Priestley

joined the Committee in 2005 as a reserve parish member. He is a retired (litigation) solicitor and was a senior partner of Booth & Co. Leeds. He retired in 2002 and is now an elected Parish Councillor with East Keswick Parish Council and a member of the Wetherby and District Crime Prevention Committee. He is also a Trustee of the W.W. Spooner Charitable Trust and a Trustee of Yorkshire Rural Community Council. Councillor Priestley’s current term of office runs until the Annual Meeting in 2011.



Introduction to the Standards Committee

The general functions of the Standards Committee are:

- ▶ Promoting and maintaining high standards of conduct by Members and co-opted members; and
- ▶ Assisting Members and co-opted members to observe the Code of Conduct.

The terms of reference for the Committee are:

- ▶ Promoting, monitoring and reviewing the rules controlling the behaviour of Councillors and Officers (Code of Conduct);
- ▶ To consider any complaints made about the behaviour of Councillors and decide whether their behaviour has broken the rules described above. If the Councillor is found to have broken the rules, the Committee decide what punishment to impose;
- ▶ To make suggestions to and work with other agencies about standards issues and the different codes of conduct. This involves taking part in research projects and consultation exercises, as well as making suggestions for improvement and best practice to the Standards Board for England;
- ▶ To provide advice and guidance to Members and officers and to make arrangements for training them on standards issues;
- ▶ To advise the Council about changes which need to be made to the code of conduct for Officers and to promote, monitor and review this code.

To carry out the above functions the Committee works closely with the Parish and Town Councils in the Leeds area and with the authority's Monitoring Officer. You can find out more about them on pages 21 and 22 of this report.

The Work of the Committee 2007 – 2008

Promoting, monitoring and reviewing the Codes of Conduct

The Standards Committee exists to promote and maintain high standards of conduct within the Council, and has considered several important standards issues over the past year. The Committee has also sought to promote awareness of its existence and its functions amongst other Members of the Council.

- ▶ **Members Code of Conduct 2007** - The Standards Committee met on 1st May 2007 to recommend to Full Council that they adopt the new Members' Code of Conduct as published by the government. The Standards Committee also agreed a model version of the Code of Conduct for Parish and Town Councils to adopt, and considered the training which should be offered to all Members on the Code. The Standards Committee have also consulted Leeds City Council Members regarding any additions they wish to make to the Code of Conduct, although no necessary additions have been identified.
- ▶ **Reviewing the Codes and Protocols** - The Standards Committee has responsibility for several codes and protocols in the Constitution. To ensure that these are operating effectively, are being complied with, and are fit for purpose the Standards Committee has added regular reports regarding these codes and protocols to its work programme. The Standards Committee has reviewed:
 - the Protocol on Member/officer Relations;
 - the Code of Practice for the determination of planning matters; and
 - has received an annual report from the Monitoring Officer reviewing compliance with the Monitoring Officer Protocol.

In particular further guidance has been added to the Protocol on Member/officer Relations on the issue of bullying and the extent of Members' involvement in commercial transactions. After consideration

and consultation on all these documents, the Standards Committee believes that they are fit for purpose. The Committee will also be extensively reviewing its own Procedure Rules and the Media Protocol once the new regulations for local filtering are implemented.

- ▶ **Ethical Audit 2006** – Further to the ethical audit aimed at elected members and senior officers with management responsibilities carried out in conjunction with the Audit Commission in 2006, the Standards Committee approved an action plan to address the shortfalls identified in the results on 12th July 2007. Since then the Standards Committee has monitored the Council’s progress towards the actions identified very closely. The Committee has received individual reports on those pieces of work which fall within their terms of reference, and has received six monthly progress reports on the other actions. It is anticipated that the success of these actions will be measured through another Ethical Audit carried out in 2008.
- ▶ **Ethical Audit 2007** - The Standards Committee has been involved in launching and monitoring another local ethical audit this year, which tested the level of ethical awareness in the authority amongst those officers not covered by the 2006 audit. Although the audit covered all elements of the ethical framework, a large proportion of the questions related to awareness and understanding of the requirements of the Code of Conduct, as well as the contents of the protocol on Member/officer relations. The Committee will be using these results to inform future training and guidance on these issues. These results will be used to formulate the Ethical Audit 2007 action plan, due to be approved by the Committee at their first meeting of the 2008/09 municipal year.
- ▶ **Monitoring compliance with the Code of Conduct** - In order to monitor compliance with the Members’ Code of Conduct the Standards Committee receives 6 monthly reports on the number and types of complaints that have been referred to the Standards Board regarding

Leeds City Council Members and Parish and Town Councillors in the Leeds area. The report also identifies any trends in the information so that the Committee can seek to address these matters through guidance and training.

The table below shows the number of complaints which have been made about Councillors in Leeds during this municipal year, and the number which have been referred for further investigation. The Committee did not identify any widespread problems or trends in the complaints before them.

Authority	Number of Complaints	Number referred for further investigation
Leeds City Council	5	2
Parish and Town Councils	5	1

- ▶ **Register of Interests and Gifts and Hospitality** - The Standards Committee seeks to reassure itself that the Members' register of interests is being reviewed and updated by Members on a regular basis and that the new rules surrounding the registration of gifts and hospitality are being observed. The Committee receives annual reports to this effect, the last report on this subject having been considered on 10th October 2007. The Committee were satisfied that the review arrangements in place are fit for purpose. The Committee also reviewed the register of gifts and hospitality from 2002 to May 2007 during this year, and noted any trends in this information. A report on this subject was received by the Committee on 10th October 2007, which noted no adverse trends.
- ▶ **Officer Code of Conduct** - The Standards Committee has monitored compliance with the officer code of conduct, particularly the requirement to register interests and offers of gifts and hospitality, through regular reports from Human Resources. The Standards Committee has monitored compliance with the officer code of conduct, particularly the requirement to register interests and offers of gifts and

hospitality, through reports from the Chief Officer (Human Resources). The Committee have received several updates on the steps that have been taken so far to embed the existing arrangements for officers to make declarations of interests and declarations of offers of gifts and hospitality. The Committee have also suggested that a redacted version of the register of interests (with the third party information removed) for certain senior officers should be a public document, and have written to the Department for Communities and Local Government to request that they consider this as an option when drafting the new national code of conduct for officers. This will be an area the Standards Committee will continue to support the Council in addressing.

- ▶ **Raising the profile of the Committee** – In order to raise the profile of the Standards Committee and the profile of the ethical framework, the Chair of the Standards Committee attends regular meetings with the Leader of the Council. The Chair is a co-opted member of the Corporate Governance and Audit Committee and also attends full Council meetings when he is able to. Other members of the Committee have also attended Parish and Town Council training sessions during this year. In addition the Standards Committee has reviewed and amended its communications plan, and will seek to implement some of the actions identified in the new municipal year.

All members were recently asked to provide suggestions to the Head of Governance Services on how their roles could be developed and their profiles raised. The following suggestions have been received:

- Regular attendance by independent members at meetings of Full Council (on a rotational basis).
- Meetings between members of the Committee and representatives from the most significant Council's partnerships to discuss the importance of ethical good governance and share information on each others' current arrangements.

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- Periodic meetings between the Chair of the Committee and the Council's Chief Executive.
 - A short session during a Corporate Management Team meeting for the independent members of the Committee.
 - An annual 'open forum' meeting of the Standards Committee where officers or public could attend and raise issues.
 - An annual meeting between the Chairs of the Corporate Governance and Audit Committee and the Standards Committee with relevant officers to consider the overall good governance practice and identify areas for improvement.
 - Interviews with and profiles of various members of the Standards Committee in Governance Matters and other (possibly external) media.
 - A session on the Standards Committee at a meeting of the Joint Consultative Committee (where the trade unions and Council officers are represented).
 - Visits to meetings of Parish and Town Councils in Leeds, and to meetings of Area Committees.
 - An annual meeting between the Chair of the Standards Committee and the Leaders of the opposition groups.

These suggestions will be considered and possibly implemented during the 2008/09 municipal year.

Providing Guidance and Training

The Standards Committee has a special responsibility for ensuring that Members are trained in matters relating to the code of conduct and arranging for appropriate training to be provided. During this year, the Standards Committee has both reviewed and recommended training for City Councillors and Parish and Town Councillors.

- ▶ **Induction for City Councillors** – The Standards Committee supported the induction training programme for new Members; all new Members received the required training on the Code of Conduct and had completed their Acceptance of the Code of Conduct and Register of Interests forms.
- ▶ **Training on the Members’ Code of Conduct 2007** – Following the Council’s adoption of the new Members’ Code of Conduct on 24th May 2007, the Standards Committee supported an extensive programme of training for all Members and certain officers of Leeds City Council. A total of 91 Councillors attended training sessions or briefings between May and October 2007, the remaining eight receiving the training materials by post. All those officers working in Governance Services and Legal Services with responsibility for advising Members on Code of Conduct issues have also been provided with training and guidance.
- ▶ **E-learning Modules** - The Standards Committee have also sought to make training on the Code of Conduct and local codes and protocols more accessible and convenient for Members by supporting the creation of an updated version of the e-learning module “Cracking the Code”. Part 1 covers the general obligations of the Code and Part 2 covers the requirement to declare and register interests. The updated module was launched prior to the Full Council meeting on 16th January 2008. This initiative has been well received by Leeds’ Members.
- ▶ **Parish Council Training** – The Standards Committee have sought to improve the training offered to Parish and Town Councils in the Leeds

area. The Standards Committee keeps the training available and received by Parishes under review through regular reports on the work programme. In response to requests by Parish Clerks that training could be carried out in group sessions, five grouped sessions were offered on the new Code of Conduct in June and July 2007. Some of these were also attended by representatives from the Standards Committee. The Committee is continually seeking to improve the services it offers to Parish and Town Councils, and build on its relationship with the Parishes (see the next section for details).

- ▶ **Governance Matters** - The Standards Committee also features heavily in the regular bulletin 'Governance Matters' which is distributed to all Members of the Council and selected officers. This bulletin contains a 'spotlight on' section which provides advice on specific standards or governance issues, front page news and feedback from the Council's governance committees. There have been sixteen issues so far, they are published on a bi-monthly basis and are available to download from the Council's website¹.

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http://www.leeds.gov.uk/Council_and_democracy/Councillors_democracy_and_elections/Council_documents/page.aspx?pageID=55b2fa06-5680-44f1-a190-a9110910cbb5

Relationship with Parish and Town Councils

The Standards Committee has sought to develop its relationship with the Parish and Town Councils in the Leeds area during this municipal year.

- ▶ **Annual Audit** - The Standards Committee has asked each Parish Clerk to complete a questionnaire this year, which asked questions about their register of interests, how interests are declared and recorded and what training the Parish Councillors had received on the new Code of Conduct. The results of the audit showed that some Parishes would like further training on the Code of Conduct from Leeds City Council and that more guidance may be needed on personal and prejudicial interests. The Committee will address these issues with the provision of further training sessions and additional guidance to Clerks.
- ▶ **Training on the new Code of Conduct** – The Standards Committee arranged for eight training sessions to take place for Parish and Town Councillors since the new Code was introduced. There were also two separate sessions organised for Parish Clerks to explain to them the practical implications of the new Code of Conduct, for example how to advertise its adoption. Overall 110 Parish and Town Councillors have received training from Leeds City Council, and 19 Clerks from 21 Parishes, with the prospect of further local training sessions being organised as a result of the Annual Audit. Through the work carried out on the Annual Audit it is also clear that some Parishes have taken advantage of training from other sources, including the Yorkshire Local Councils Association.
- ▶ **Parish and Town Council Induction Pack** – In order to assist Parishes with preparing for the election period, all Clerks were provided with information packs which included model forms and guidance on the Code of Conduct, such as how to complete a register of interests form. This assisted Parishes with complying with the relevant deadlines, and will be revised and reissued each election period.

Corporate Governance Issues

The Standards Committee shares responsibility for Corporate Governance issues with the Corporate Governance and Audit Committee. The Chair of the Standards Committee is a co-opted member of that Committee. The Committee has considered the following corporate governance issues during the year:

- ▶ **Comprehensive Performance Assessment** – The Committee has considered how the Council has performed against the criteria in relation to ethical standards and the Use of Resources Key Lines of Enquiry, and any improvements which could be made to the ethical framework.
- ▶ **Corporate Governance Statement** – The Standards Committee and its work regarding the conduct of Members and officers feature in the Council’s Corporate Governance Statement. In particular the Committee’s monitoring of complaints about Members and compliance with the codes of conduct.
- ▶ **Corporate Governance and Audit Committee** – The Standards Committee has further developed its relationship with the Corporate Governance and Audit Committee during this municipal year. The Chair of the Standards Committee remains a co-opted member of the Corporate Governance and Audit Committee, and the minutes of each Committee are received by the other. The Corporate Governance and Audit Committee also receives a report on the Standards Committee’s work every six months.

Working with Other Agencies

During the year, the Standards Committee has taken part in research and policy development on a national scale through various consultation exercises. The Independent Members of the Standards Committee are involved in the Standards Committee Independent Members' Regional Forum of Yorkshire and Humberside.

- ▶ **Consultation and Research** – Members of the Standards Committee have responded to the consultation paper published by Communities and Local Government on the new Orders and Regulations relating to the conduct of Local Authority Members. The Committee provided their own comments and collated comments from several senior officers, to form a Council response. The Orders and Regulations were implemented in April 2008.

The Standards Committee has also taken part in a research project on local filtering during this municipal year. Several Standards Committee Members took part in this exercise where ten real cases were provided to the Committee to consider. Their answers were then analysed by the Standards Board to assist them with preparing for the new arrangements, in particular what could be done to ensure some level of consistency in the decisions made by individual standards committees. The Standards Committee has also considered the results of previous research projects commissioned by the Standards Board for England which they have been involved in, such as the study on the effectiveness of the Standards Board for England.

- ▶ **Standards Board for England** - The Chair of the Standards Committee has attended the Sixth Annual Assembly of Standards Committees held by the Standards Board for England on 15th and 16th October 2007, which provided opportunity for training and guidance and also feedback to the Standards Board on their work. In addition, the Chair of the Standards Committee was a member of the steering

committee for this year's conference, and was a speaker on the issue of independence. This presentation, called the 'State of Independence', was one of the most successful at the Annual Assembly, receiving 98% 'good' or 'very good' feedback from delegates. The Chair has also been asked to be a member of the steering group for the seventh annual assembly to be held on 13th and 14th October 2008. The Standards Committee is kept up to date on national conduct issues by receiving regular Standards Board Bulletins through the agenda and issues of the Town and Parish Standard. The Standards Committee also received and considered the Standards Board's Annual Report at their meeting in October 2007.

▶ **Adjudication Panel for England** – The Standards Committee is able to monitor the way in which the Code of Conduct is being interpreted and how sanctions are applied at a national level through the regular reports it receives on Adjudication Panel for England cases. The Committee also considered the Adjudication Panel's third annual report at their meeting in October 2007.

▶ **Association of Independent Members of Standards Committees in England (AIMSce)** - The Chair of the Standards Committee was a member of the steering committee for this association and is now a Director without Portfolio. The Association provides support and guidance to independent members in carrying out their statutory responsibilities, and also acts as a forum for exchanging views and ideas with other organisations and stakeholders.

Issues for 2008 – 2009

The Standards Committee will have many important issues to address in the coming the year, including the following:

- ▶ **Changes in the role of the Standards Board** – From April 2008 all complaints about the behaviour of Members of Leeds City Council or Parish and Town Councillors in Leeds will be received by Leeds City Council rather than the Standards Board. These will then be assessed by a sub-committee of the Standards Committee to decide whether any further action is necessary. The Committee will also be able to carry out reviews of these decisions through a separate sub-committee, and will have more powers of sanction available to it when conducting hearings.

The Standards Board will monitor the Standards Committee's progress by receiving regular reports on the number of complaints and the outcomes of those complaints, as well as other information such as how much training has been provided by the Committee.

- ▶ **Implementation of the Ethical Audit 2007 action plan** – The action plan formulated by the Standards Committee during this municipal year will be implemented and monitored by the Standards Committee throughout the new municipal year. The action plan is attached as an appendix to this report.

Useful Links

If you would like to find out more about standards issues and the work of the Committee, as well as keep up to date with national issues, you may find the following links useful:

- ▶ **The Standards Board for England** (for guidance on standards issues, standards committees and outcomes of recent cases)
www.standardsboard.gov.uk
- ▶ **The Adjudication Panel for England** – www.adjudicationpanel.co.uk
- ▶ **The Audit Commission** – www.audit-commission.gov.uk
- ▶ **Department for Communities and Local Government** –
<http://www.communities.gov.uk/corporate/>
- ▶ **Leeds City Council** – www.leeds.gov.uk
- ▶ **National Association of Local Councils** – www.nalc.co.uk
- ▶ **Yorkshire Local Council Association** -
www.visionwebsites.co.uk/Contents/Text/Index.asp?SiteId=490&SiteExtra=13134021&TopNavId=459&NavSideId=5536
- ▶ **Chartered Institute of Public Finance and Accountancy** –
www.ipf.co.uk
- ▶ **Association for Independent Members of Standards Committees in England** – www.aimsce.org.uk

Parish Councils

The Standards Committee has a special responsibility to the Parish and Town Councils in Leeds. The Standards Committee is responsible for ensuring high standards of conduct are met within the parishes and that every Member is aware of their responsibilities under the code of conduct.

The Parish and Town Councils in the Authority's area are:

Aberford & District	Drighlington	Otley
Allerton Bywater	East Keswick	Pool-in-Wharfedale
Arthington	Gildersome	Pudsey
Austhorpe	Great and Little Preston	Scarcroft
Bardsey Cum Rigton	Harewood	Shadwell
Barwick in Elmet & Scholes	Horsforth	Swillington
Boston Spa	Kippax	Thorner
Bramham cum Oglethorpe	Ledsham	Thorp Arch
Bramhope and Carlton	Ledston with Ledston Luck	Walton
Clifford	Micklefield	Wetherby
Collingham with Linton	Morley	Wothersome (Parish Meeting)

The Monitoring Officer

In Leeds City Council, the role of the Monitoring Officer rests with the Assistant Chief Executive (Corporate Governance). The Monitoring officer has a key role in promoting and maintaining standards of conduct.

As well as acting as legal advisor to the Standards Committee, the Monitoring Officer carries out the following functions:

- ▶ reporting on contraventions or likely contraventions of any enactment or rule of law;
- ▶ reporting on any maladministration or injustice where the Ombudsman has carried out an investigation;
- ▶ establishing and maintaining registers of Members' interests and gifts and hospitality;
- ▶ maintaining, reviewing and monitoring the Constitution;
- ▶ supporting the Standards Committee;
- ▶ receiving reports from Ethical Standards Officers and decisions of case tribunals;
- ▶ conducting investigations into misconduct;
- ▶ performing ethical framework functions in relation to Parish Councils;
- ▶ acting as the proper officer for access to information;
- ▶ advising whether executive decisions are within the budget and policy framework; and
- ▶ advising on vires issues, maladministration, financial impropriety, probity, and budget and policy issues to all Members.