

STANDARDS AND CONDUCT COMMITTEE

FRIDAY, 5TH FEBRUARY, 2021

PRESENT: Councillor E Nash in the Chair

Councillors N Dawson, B Gettings, P
Grahame, M Harrison, D Potter and A
Scopes

Independent Person – Gordon Tollefson

1 Appeals against refusal of inspection of documents

There were no appeals.

2 Exempt Information - Possible exclusion of the press and public

There were no exempt items.

3 Late items

There were no late items.

4 Declaration of Disclosable Pecuniary and Other Interests

There were no declarations of disclosable pecuniary or other interests.

5 Apologies for absence

Councillor P Harrand submitted his apologies in advance of the meeting. No substitute Members were in attendance.

6 Minutes of the previous meeting and matters arising

RESOLVED – That the minutes of the meeting held 6th March 2020 be approved as an accurate record.

Matters arising

Minute 7 – Members requested an update in relation to the issue raised regarding the inclusion of addresses on election ballot papers, and were advised that the removal of addresses remains a recommendation from the Committee on Standards in Public Life, however the Government have not yet responded to the report or changed their position. It was noted that updates will be provided to Members at the earliest opportunity should the position change.

7 Annual Report of the Monitoring Officer to the Standards and Conduct Committee

The City Solicitor submitted a report that presented the work carried out by the Monitoring Officer and her staff to support the committee throughout the year. The report also demonstrated the ways in which the Authority has fulfilled its statutory duty to promote and maintain high standards of conduct.

The following were in attendance:

- Catherine Witham, City Solicitor, Monitoring Officer
- Andy Hodson, Head of Democratic Services, Deputy Monitoring Officer
- Nicole Walker, Head of Legal Services, Deputy Monitoring Officer

The Head of Democratic Services introduced the report, highlighting the following:

- Training has continued to be delivered to Members throughout the pandemic by remote means, particularly to address specific issues arising from complaints received;
- Reminders for updating registers of interests have been circulated throughout the year, to ensure that all registers reflect Members current circumstances;
- Social media continues to be a primary source of complaints against Members. It was noted that although the number of complaints within the period appears to have increased significantly, the number of incidents of complaint are less than the previous year, due to multiple complaints in relation to a single incident;
- Following a request for further information at the previous meeting in regards to the number of informal complaints received, the report also provides detail of correspondence received that have not progressed to the formal complaints process;
- Members were advised that suggested amendments to the complaints procedure are set out in Appendix 2 to the report, which intend to provide further clarity and enable members of the public to assess whether their concern may be better suited to other mechanisms before proceeding with a complaint against compliance with the Members' Code of Conduct.

Members discussed a number of matters, including:

- In response to a query, Members were advised that dispensations are granted for a Members' term of office and are therefore triggered upon re-election;
- Members sought clarity on the process for complaints against co-opted Members of Council committees, and were advised that non-voting co-opted Members fall outside of the Localism Act and therefore any complaints would be considered in line with the Leeds City Council Employee Code of Conduct;

- Members sought clarity on the process for redirection of complaints to West Yorkshire Police in relation to disclosure of interests, and were advised that explicit formal consent is required from the complainant prior to a referral.

RESOLVED - That the contents of the report be noted.

8 Local Government Association Model Councillor Code of Conduct

The City Solicitor submitted a report that presented the Local Government Association's Model Code of Conduct for local councillors to Members with a view to considering recommendations for adoption by the authority.

The following were in attendance:

- Catherine Witham, City Solicitor
- Andy Hodson, Head of Democratic Service
- Nicole Walker, Head of Legal Services

The Head of Democratic Services introduced the report, and sought Members views in relation to adopting the Model Code at Appendix 1 in whole and/or with local amendments.

Members expressed concern in relation to the proposed broadening of the requirements concerning disclosure of interests in circumstances where a matter arises at a meeting affects the financial interest or well-being of a friend, relative or close associate. Members felt that if left unqualified, that this would place an unreasonable and unfair obligation on Members which goes beyond the legal requirements of the Localism Act 2011. Members acknowledged that a qualification on the declaration requirements by, for example, insertion of the word 'known', would provide greater certainty and comfort to Members.

RESOLVED –

- a) That adoption of the Local Government Association Model Code of Conduct be recommended to General Purposes Committee with effect from the Annual Council Meeting, subject to an amendment in relation to the declaration requirements relating to family, friends and close associates;
- b) That Members concerns in relation to the above clause be communicated to the Local Government Association.

9 Draft Annual Report of the Standards and Conduct Committee to Full Council

The City Solicitor submitted a report presenting to the committee an annual report relating to matters within the committee's terms of reference, requesting that Members refer the report to full Council for consideration.

The following were in attendance:

Draft minutes to be approved at the next meeting

- Catherine Witham, City Solicitor
- Andy Hodson, Head of Democratic Services
- Nicole Walker, Head of Legal Services

The Head of Democratic Services introduced the report, noting the requirement for the Committee to report annually to full Council.

RESOLVED –

- a) That the draft Annual Report to Full Council at Appendix 1 be approved;
- b) That the Annual Report at Appendix 1 be referred to full Council for consideration.