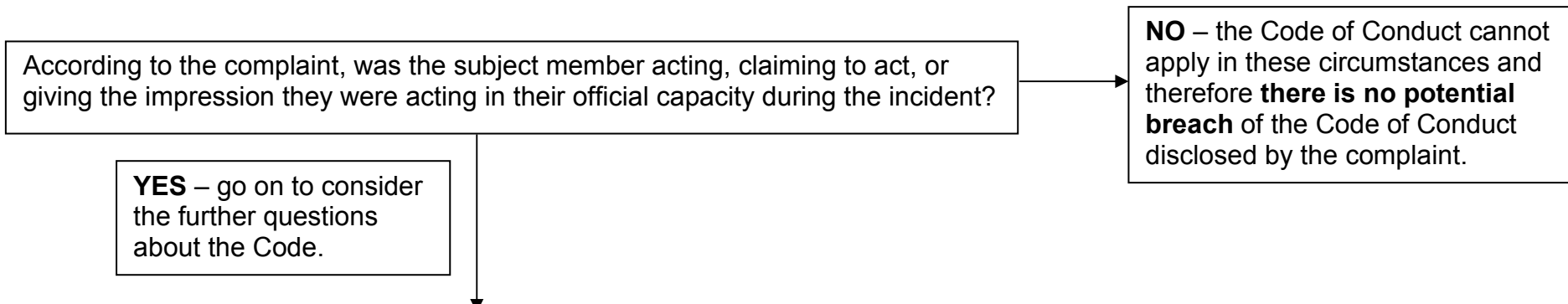


Code of Conduct Matrix

Questions relating to box 3 within Step 1 of the Assessment Flowchart



Para no.	On the basis of the information provided by the complaint, could the allegation(s) made, if they were proven, be a breach of the Code of Conduct in that:	Exceptions / explanation	Yes	No
3(1)	The subject member may have treated the complainant or someone else with disrespect?			
3(2)(a)	The subject member may have done something which might cause the Council to breach any equality laws?	Can be through direct discrimination, indirect discrimination, harassment or victimisation on the grounds of sex, race, disability, religion or belief, sexual orientation or age.		
3(2)(b)	The subject member may have bullied somebody – including other Councillors, officers or members of the public?			
3(2)(c)	The subject member may have intimidated or attempted to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings relating to a failure to comply with the Code of Conduct?	This section of the Code applies no matter whether the investigation is about the subject Member or is about any other Member.		
3(2)(d)	The subject member may have compromised, or attempted to compromise, the impartiality of someone who works for the Council?			
4(a)	The subject member may have disclosed	Unless any of the following apply:		

Code of Conduct Matrix

Appendix 3

Questions relating to box 3 within Step 1 of the Assessment Flowchart

Para no.	On the basis of the information provided by the complaint, could the allegation(s) made, if they were proven, be a breach of the Code of Conduct in that:	Exceptions / explanation	Yes	No
	confidential information, or information which they believed to be of a confidential nature?	<ul style="list-style-type: none"> • They had the consent of the person authorised to give it; • They were required by law to do so; • The disclosure was made to a third party for the purposes of obtaining professional advice; or • The disclosure was in the public interest. This is only justified when all the following requirements are met: <ol style="list-style-type: none"> 1. the disclosure must be reasonable; 2. the disclosure must be in the public interest; 3. the disclosure must be made in good faith; and 4. the disclosure must be made in compliance with the reasonable requirements of the Council (contained within the Access to Information Procedure Rules). 		
4(b)	The subject member may have prevented anyone getting information that they are entitled to by law?	For example, public documents such as agendas or the register of interests.		
5	The subject member may have brought their office or authority into disrepute?			
6(a)	The subject member may have used, or attempted to use, their position improperly to the advantage or disadvantage of themselves or anyone else?			
6(b)(i)	The subject member may have used or authorised the use of the Council's resources contrary to the Council's requirements?	Contained or referenced within the Member Officer Protocol e.g. Protocol for Members' Use of IT		
6(b)(ii)	The subject member may have used the Council's resources for improper purposes e.g. party political purposes?			
6(c)	The subject member may have failed to have regard to the Local Authority Code of Publicity?			
7(1)(a)	The subject member may have failed to have regard			

Code of Conduct Matrix

Appendix 3

Questions relating to box 3 within Step 1 of the Assessment Flowchart

Para no.	On the basis of the information provided by the complaint, could the allegation(s) made, if they were proven, be a breach of the Code of Conduct in that:	Exceptions / explanation	Yes	No
and (b)	to advice from the Monitoring Officer or Chief Finance Officer where they have given it under their statutory duties?			
7(2)	The subject member may have failed to give reasons for any decision in accordance with statutory requirements or any reasonable additional requirements of the Council?	Councillors in Leeds do not take individual decisions and therefore this paragraph is unlikely to apply.		
9	The subject member may have failed to declare a personal interest at a meeting where the business relates to or is likely to affect an interest which should be recorded on their register of interests?	<p>Unless the personal interest arises:</p> <ul style="list-style-type: none"> • solely from their membership of any other body to which they were appointed or nominated by the Council, or any other body exercising functions of a public nature, and they did not speak to the item; • through a gift or hospitality received more than three years before the date of the meeting; or • through 'sensitive information' which is held by the Monitoring Officer. 		
9	The subject member may have failed to declare a personal interest at a meeting where the business relates to, or is likely to affect, the well-being or financial position of themselves, their family, or a person with whom they have a <u>close personal association</u> , more than it would affect the majority of people in the ward affected?	A <u>close personal associate</u> is someone the member is in regular or irregular contact with over a period of time who is more than an acquaintance. It is someone a reasonable member of the public might think they would be willing to favour or disadvantage when discussing a matter that affects them. It may be a friend, a colleague, a business associate or someone whom the member knows through general social contacts.		
10	The subject member may have failed to declare a prejudicial interest at a meeting where the matter affects the financial position of themselves or the <u>relevant person</u> or relates to a <u>licensing or</u>	<p>Unless the matter falls within one the exempt categories of decisions, which include:</p> <ul style="list-style-type: none"> • Housing: if the Member holds a tenancy or lease with the Council, as long as the matter does not relate to their 		

Code of Conduct Matrix

Appendix 3

Questions relating to box 3 within Step 1 of the Assessment Flowchart

Para no.	On the basis of the information provided by the complaint, could the allegation(s) made, if they were proven, be a breach of the Code of Conduct in that:	Exceptions / explanation	Yes	No
	<p><u>regulatory matter</u>; and a member of the public, who knows the relevant facts, would reasonably think that their personal interest is so significant that it is likely to prejudice their judgement of the public interest?</p>	<p>particular tenancy or lease;</p> <ul style="list-style-type: none"> • School meals or school transport and travelling expenses: if the Member is a parent or guardian of a child in full-time education or they are a parent governor, unless it relates particularly to the school their child attends; • Statutory sick pay: if they are receiving this, or are entitled to this; • An allowance, payment or indemnity or Members; • Any ceremonial honours given to Members; and • Setting council tax or a precept. <p>A <u>relevant person</u> is a close personal associate or a member of the subject member's family; any person or body who employs or who has appointed the subject member or their close personal associates or family, a firm in which they are a partner, or any company of which they are directors; any corporate body in which the subject member or their close personal associates or family have a shareholding of more than £25,000 (nominal value).</p> <p>Interests which relate to <u>licensing or regulatory matters</u> may include: Considering a planning or licensing application made by the subject member or a body on their register of interests; Licensing Act licenses; pet shop and dog breeding licences; petroleum licenses; street trading licences; taxi licensing; consent, approval or permission pursuant to a contractual</p>		

Code of Conduct Matrix

Questions relating to box 3 within Step 1 of the Assessment Flowchart

Para no.	On the basis of the information provided by the complaint, could the allegation(s) made, if they were proven, be a breach of the Code of Conduct in that:	Exceptions / explanation	Yes	No
		document such as a lease or commercial contract; street collection permit; or lottery registration.		
12(1)(a)	The subject member may have failed to leave the room when they had a personal and prejudicial interest?	Remember that if members of the public are allowed to make representations, give evidence or answer questions about a matter, a Member with a prejudicial interest can also attend the meeting for that purpose. But they must immediately leave the room once they have finished or when the meeting decides that they have finished (whichever is earlier). They cannot remain in the public gallery to observe the vote on the matter.		
12(1)(c)	The subject member may have sought to improperly influence a decision about the business in which they have a personal and prejudicial interest?	It is not improper for a Member to make written representations in their private capacity, to use a professional representative or the arrange for another Councillor to represent the views of their constituents.		
13(1)	The subject member may have failed to register their interests within 28 days of their election or appointment to office?			
13(2)	The subject member may have failed to notify the Monitoring Officer of any changes to their register of interests within 28 days of a change occurring?			

If the answer to **any** of the above questions is 'YES' there is a potential breach of the Code of Conduct disclosed in the complaint and the **answer to box 3 in Step1 is also YES.**

If the answer to **ALL** of the above questions is 'NO' there is no potential breach of the Code of Conduct disclosed in the complaint and the **answer to box 3 in Step1 is also NO.**