

Standards Committee - Assessment Sub-Committee

Monday, 1st January 2009

PRESENT:

Independent Members

Chair

Councillors

Leeds City Councillor 1 Leeds City Councillor 2

Parish Members

Parish Member

1 Declarations of Interest

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.

2 Case Reference 080900

The Assessment Sub-Committee considered a complaint from Mrs Smith concerning the alleged conduct of Councillor Jones, a Member of Leeds City Council.

Mrs Smith had alleged that she contacted Councillor Jones in November 2008 to ask for her dustbin and recycling box to be collected, as they were full. Mrs Smith also required some information about the refuse collection service over the Christmas and New Year period. Mrs Smith alleges that Councillor Jones refused to help her and instead told her to contact the Council's Contact Centre for assistance. Mrs Smith alleges that Councillor Jones failed to treat her with respect through his actions.

The Assessment Sub-Committee were satisfied that Councillor Jones was an elected member of Leeds City Council at the time of the alleged incident, and that the Code of Conduct 2007 was in force at the time.

The Assessment Sub-Committee considered whether, if the incidents occurred as alleged, Councillor Jones may have potentially breached the Members' Code of Conduct through his alleged actions.

The Assessment Sub-Committee concluded that the allegation made by Mrs Smith did not amount to a potential breach of the Code of Conduct. In particular the Assessment Sub-Committee considered the advice of the Standards Board for England, that whilst Councillors are elected to represent

their ward and the people who live there, there is no obligation on them to respond to each and every request for advice or assistance. There will be times where they either choose not to become involved in a certain issue, or where they are prevented from doing so. However this does not amount to a potential failure to comply with the Code of Conduct.

Therefore the Assessment Sub-Committee decided to take no further action in relation to the complaint.

Please note that the purpose of the initial assessment decision is simply to decide whether any action should be taken on the complaint. Therefore the Assessment Sub-Committee has not considered whether the circumstances set out by Mrs Smith in her complaint are true. Rather, they have considered whether Councillor Jones, if the complaint were proven, may have potentially breached the Members' Code of Conduct through his alleged actions.

SAMPLE