



Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 8th July 2009

Subject: Local Assessment – Progress Report

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

1.1 The purpose of this report is to provide Members of the Standards Committee with a progress report in relation to all complaints received under the Members' Code of Conduct during the past 12 months. The report also provides the Committee with some statistical analysis regarding the complaints, including a comparison with the national statistics from the Standards Board for England.

2.0 Background Information

2.1 The local assessment procedures came into effect in May 2008. Since then, the Assessment Sub-Committee has considered 25 allegations (from a total of 19 complaints), 15 of which are closed, 4 of which are due to be considered by the Review Sub-Committee, 6 of which have been referred for investigation and 1 which has been referred for other action (part of this allegation is due to be considered by the Review Sub-Committee). The referred complaints concern a total of 5 Leeds City Councillors, and 0 Town/Parish Councillors.

2.2 The Review Sub-Committee has reviewed 5 allegations, none of which have been referred for investigation or other action.

3.0 Main Issues

3.1 The table attached at Appendix 1 shows further detail in relation to each complaint, including the source of the complaint, whether the complaint is about a Town or Parish Councillor, and the decision made in relation to the complaint.

3.2 The table attached at Appendix 2 provides further detail in relation to those complaints that have been referred for investigation, including when the investigation was commissioned and the estimated date of completion.

3.3 Appendix 3 provides some statistical analysis regarding all complaints received, and this information is compared with the national statistics available from the Standards Board for England.

4.0 Implications For Council Policy And Governance

4.1 This report provides assurance to the Standards Committee that the Assessment and Review Sub-Committees are complying with their statutory responsibilities as set out in the Standards Committee (England) Regulations 2008.

4.2 The Standards Board for England have issued guidance on conducting investigations which must be taken into account. This guidance suggests that most investigations are carried out and a report on the investigation completed within 6 months of the original complaint being assessed by the Assessment Sub-Committee.

4.3 Although there are many factors that can affect the time it takes to complete an investigation, ongoing investigations are monitored to ensure that they are carried out as quickly as possible. We are currently in the process of drafting a protocol for the management of investigations into potential breaches of the Members' Code of Conduct which have been outsourced. This will include a requirement to produce an investigation plan.

4.4 Of the 6 allegations referred for investigation, so far 3 have taken longer than 6 months to be completed. This has been due to many factors, including:

- The process of commissioning an investigation and recruiting an external investigator is new to the Council;
- Issues relating to the Members' insurance policy;
- Case specific delays; and
- Observations made by parties in receipt of draft investigation reports, which have resulted in further work being required.

4.5 At the end of the investigation/hearings process there will also be an opportunity to discuss the lessons learnt from individual cases.

5.0 Legal And Resource Implications

5.1 The resource implications for each investigation vary depending on the length and complexity. The costs have been specified in a quote produced for the Monitoring Officer and the Head of Governance Services, which can be contained within the existing budget.

6.0 Conclusions

6.1 Since the introduction of the Local Assessment regime in May 2008, the Assessment Sub-Committee has considered 25 allegations (from a total of 19 complaints), 15 of which are closed, 4 of which are due to be considered by the Review Sub-Committee, 6 of which have been referred for investigation and 1 of which has been referred for other action.

6.2 Both the Assessment Sub-Committee and Review Sub-Committee are meeting the statutory deadlines in relation to the timescale for considering complaints and review requests. The Standards Committee will be provided with Local Assessment update reports on a 6-monthly basis from now on.

7.0 Recommendations

- 7.1 Members of the Standards Committee are requested to note the contents of this report.

Background Documents

Minutes of the Assessment Sub-Committee meetings held on 22nd July 2008, 29th July 2008, 5th March 2009 and 18th May 2009.

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