



Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th December 2009

Subject: Review of the Standards Committee Media Protocol

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report informs the Standards Committee of a recent review of the Standards Committee Media Protocol.
2. This review has been undertaken in consultation with the Corporate Communications Unit.
3. Members of the Standards Committee are asked to consider the proposals with regard to the publication of the complaints procedure as required by the Standards Committee (England) Regulations 2008.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to review the Standards Committee Media Protocol, and to consider the steps to be taken to publicise the complaints process.

2.0 Background Information

- 2.1 The Standards Committee Media Protocol is contained within part 5 of the Constitution. It sets out the principles and procedure by which the Council will interact with the Media in relation to complaints made against members under the Code of Conduct. A copy of the Protocol is attached as Appendix 1 to this report for ease of reference.
- 2.2 Members of the Standards Committee will note that Paragraph 6 of the Protocol provides that it will be monitored on an ongoing basis.
- 2.3 The Standards Committee Media Protocol was substantially amended in December 2008 to incorporate the requirements of the new regime of local assessment and review of allegations of misconduct made against Members of Leeds City Council and Parish and Town Councillors in the Leeds Area.

3.0 Main Issues

- 3.1 There have been no further changes to the legislation in relation to publication of the complaints process as a whole or individual complaints since the review of the Protocol which took place in December 2008.
- 3.2 The Corporate Communications Unit have also reviewed this protocol and do not wish to propose any amendments.

Publication of Complaints Procedure

- 3.3 The Standards Committee (England) Regulations 2008 require that the Standards Committee take reasonable steps to bring to the attention of the public details of where complaints should be addressed to and the procedures it will follow when in receipt of a written allegation under the Code of Conduct. The Protocol includes details of how it is intended that the Standards Committee should fulfill these obligations.
- 3.4 At the Standards Committee meeting of 1st July 2008, it was agreed that an annual notice would be published in a newspaper circulating in the local area and that further information would be published in About Leeds from time to time in order to raise the profile of the local assessment regime. In addition it was agreed that notices would be displayed in Citizens Advice Bureaux, Libraries and other Council buildings as well as a link being provided from the front page of the Council's web site.
- 3.5 As agreed at that meeting a notice was published in July 2008 giving the relevant details. As officers have been anticipating the introduction of a new Code of Conduct during the course of this year, it has been planned to include the details in relation to complaints, together with the formal Notice which will have to be published when the Council adopts this new Code. This will ensure that the public are clear about what the code is and how to complain should they wish to do so. Members are requested to confirm that they are content for this amalgamation of notices to take place.

- 3.6 Members of the Standards Committee are also requested to consider whether they wish to continue to publish an annual notice detailing the complaints process. Members may be of the view that the notices displayed in Council buildings, together with the link from the Council's web site and the information published in About Leeds, give sufficient information to fulfil the obligation imposed by the regulations to 'take reasonable steps'.
- 3.7 If Members of the Standards Committee are of the view that there should no longer be an annual notice to publicise the Complaints process then they are asked to authorise the necessary amendment to remove this requirement from the Protocol.
- 3.8 As part of the annual review of the Local Assessment Procedures consideration has been given to the complaint form. This form has been amended to include a question asking how the complainant became aware of the complaints procedure. The responses to this question will be reported to the Standards Committee in order that they can be used to inform future decisions as to how the Committee wishes to publicise the complaints process.

Breaches of the Protocol

- 3.9 There have been no reported breaches of the protocol in the last year.

Monitoring and Review

- 3.10 The Protocol requires that it should be monitored on an ongoing basis but without the requirement of an annual report to Committee. Members of the Standards Committee are therefore asked to indicate whether they would wish to continue to receive annual reports in relation to the protocol or whether they would prefer the Monitoring Officer to keep the Protocol under review and to raise issues with the Committee as and when required.

4.0 Implications For Council Policy And Governance

- 4.1 The Standards Committee Media Protocol ensures a consistent approach and equality of treatment for any Member who is the subject of a complaint or investigation. In addition it ensures consistency with existing protocols and compliance with relevant legislation and codes of practice.

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to this report.
- 5.2 The combination of the annual notice in relation to the complaints process with the notice required upon adoption of a new code will create a financial saving for the authority.

6.0 Conclusions

- 6.1 The purpose of this report is to review the Standards Committee Media Protocol. The review has been undertaken in consultation with the Corporate Communications Unit.
- 6.2 Members of the Standards Committee are asked to give particular attention to the publication of details in relation to how to make a complaint. For this municipal year it is proposed that a notice should be published in conjunction with the notice that the Council is required to publish upon adoption of a new Code of Conduct.

Members are asked to consider whether they wish to publish an annual notice in future years.

- 6.3 Members of the Standards Committee are also requested to consider whether there should continue to be an annual report to Committee in relation to the Protocol.

7.0 Recommendations

7.1 Members of the Standards Committee are asked to:

7.1.1 note the contents of this report,

7.1.2 confirm that it is acceptable to combine the publication of a notice giving details of the complaints procedure with a notice to be published giving formal notification of adoption of a new Members' Code of Conduct at such time as is required;

7.1.3 determine whether an annual notice should be published in future municipal years giving details of the complaints procedure; and

7.1.4 indicate whether they wish to receive further annual reports in relation to the Standards Committee Media Protocol.

Background Documents

Standards Committee Media Protocol

Standards Committee (England) Regulations 2008

Standards Board for England Press Toolkit