

<b>STANDARDS COMMITTEE MEDIA PROTOCOL</b>
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## **1 INTRODUCTION**

- 1.1 The Standards Committee, and its Assessment Sub-Committee, Review Sub-Committee and Hearings Sub-Committee are established under the provisions of the Local Government Act 2000 (as amended). The terms of reference of the Committee and its Sub-Committees are set out in Part 3 Section 2B of the Constitution.
- 1.2 The Standards Committee, Assessment Sub-Committee, Review Sub-Committee and Hearings Sub-Committee are made up of elected Members, Parish Council representatives and Independent Members. Detailed provisions as to the membership of each are set out in Article 9 of the Constitution.
- 1.3 This Protocol has been prepared for the guidance of the Standards Committee, Assessment Sub-Committee, Review Sub-Committee and Hearings Sub-Committee on the appropriate procedures for dealing with the media in respect of complaints and investigations considered by the Committee. It affects all Members serving on the Committees, including Independent Members and Parish Council representatives.
- 1.4 The underlying principle of the Protocol is to ensure the adherence with policies of open Government and accountability. In addition the Protocol is intended to ensure a consistent approach and equality of treatment for any Member who is the subject of a complaint or investigation.

## **2 GENERAL ENQUIRIES FROM THE MEDIA**

- 2.1 There is no requirement to publish details in respect of a complaint under the Code of Conduct at any stage other than those mentioned at Paragraph 4 below. However, there may well be local or national media interest in any complaint.
- 2.2 Any enquiries made by the media in relation to a complaint will be dealt with by the Corporate Communications Unit in consultation with the Monitoring Officer and/or the Chair of the Committee as appropriate. In considering how to respond to an enquiry the Corporate Communications Unit will consider advice and guidance issued by Standards for England, particularly the Press Toolkit.
- 2.3 The Monitoring Officer should keep the Member concerned informed of any media interest shown.
- 2.4 Where a complaint is upheld and action taken the Corporate Communications Unit shall, in consultation with the Monitoring Officer and the Chair of the Standards Committee, consider whether a proactive press release should be made alongside the publication of the official notice. The elected Member who is the subject of the complaint should be informed by the Monitoring Officer if a proactive press release will be issued in respect of the decision taken.

- 2.5 Any proactive release should be issued to the relevant media as soon as practicable after the conclusion of the hearing.
- 2.6 Any reactive statement should be released as quickly as practicable on receipt of a media enquiry being received.
- 2.7 The Monitoring Officer will arrange for all releases and statements to be copied to all Members of the Committee for information and, where appropriate, to the Member subject of the investigation.
- 2.8 Any enquiries from the media received directly by members of the Committee should be referred to the Corporate Communications Unit to ensure a consistent response. The Member should endeavour to forewarn the Corporate Communications Unit that they have received such an approach so that the enquiry can be anticipated.

### **3 DEALING WITH THE MEDIA : KEY PRINCIPLES**

- 3.1 In order to ensure a consistent approach, all press releases and media statements regarding Committee business should be issued through the Corporate Communications Unit in accordance with the procedure detailed below.
- 3.2 All press releases/media statements must be authorised by the Monitoring Officer<sup>1</sup> in consultation with the Committee Chair<sup>2</sup>.
- 3.3 The appropriate spokesperson to be quoted in any press release/statement will normally be the Committee Chair who will comment on behalf of all Members of the Committee.
- 3.4 Where a proactive press release is issued this should be to the local media as appropriate and include distribution to the Yorkshire Evening Post, Yorkshire Post and relevant local/community paper(s). Any press release will also be recorded on the Council's Information Systems (e.g. Intranet/Internet) in accordance with normal procedures.

### **4 PUBLICATION OF NOTICES REQUIRED BY LAW**

#### **4.1 Publication Of Complaints Procedure**

- 4.1.1 The Standards Committee is required to take reasonable steps to ensure that details of the address to which written allegations should be sent continue to be brought to the attention of the public.<sup>3</sup>
- 4.1.2 The Standards Committee is required to publish details of the procedures it will follow in relation to any written allegation.<sup>4</sup>

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<sup>1</sup> Throughout this Protocol the term 'Monitoring Officer' shall be understood to include the Deputy Monitoring Officer if for any reason the Monitoring Officer is unavailable. Tasks for which the Monitoring Officer is responsible may be delegated appropriately to the Corporate Governance Team.

<sup>2</sup> Throughout this Protocol references to 'the Committee Chair' shall be understood to be the Chair of the Standards Committee, or the Chair of the Assessment Sub Committee, or the Chair of the Review Sub Committee as appropriate in view of the stage and status of the complaint.

<sup>3</sup> Reg 10 (1) and (2), The Standards Committee (England) Regulations 2008

<sup>4</sup> Reg 10 (3), The Standards Committee (England) Regulations 2008

- 4.1.3 In fulfilling these obligations the Standards Committee will take into account any relevant guidance issued by the Standards Board.<sup>5</sup>
- 4.1.4 The Monitoring Officer will arrange to publish a notice annually in a newspaper circulating in the local area giving appropriate details. Further information will be published in About Leeds from time to time, in order to raise the profile of the Local Assessment regime.
- 4.1.5 The front page of the Leeds City Council web site will display a link to the pages giving details in relation to Complaints about Councillors.
- 4.1.6 In addition notices will be displayed in Citizens Advice Bureaus, Libraries and other Council buildings.

## **4.2 Final Report: Accepted Finding of No Failure**

- 4.2.1 Where the investigation has been undertaken by the Monitoring Officer or her nominee, the final report is considered by the Assessment Sub-Committee. If the Assessment Sub-Committee accepts a finding of no failure the Committee is required to arrange for a notice to be published stating that the Committee have found that there has not been a failure on the part of the Member to comply<sup>6</sup>. This notice shall not be published if the Member requests that it is not published<sup>7</sup>.
- 4.2.2 As soon as practicable after the meeting of the Assessment Sub-Committee the Monitoring Officer will contact the Member concerned and explain their right to request that a notice shall not be published. A letter will be sent to the Member confirming whether or not a notice is to be published.

## **4.3 After the Hearing**

- 4.3.1 Where a hearing has taken place and there has been a finding of breach, the Hearings Sub-Committee is required to arrange for a notice to be published containing a summary of their finding<sup>8</sup>. If there is a finding of no breach the Hearings Sub-Committee is required to arrange for a notice to be published containing a summary of their finding unless the Member requests that it is not published<sup>9</sup>.
- 4.4 As soon as practicable after the hearing the Monitoring Officer will contact the Member concerned and explain their right to request that a notice shall not be published. A letter will be sent to the Member confirming whether or not a notice is to be published.

- 4.4.1 The summary which is published should include information detailing:

- The nature of the complaint
- The outcome

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<sup>5</sup> Reg 10 (4), The Standards Committee (England) Regulations 2008

<sup>6</sup> Reg 17 (3), The Standards Committee (England) Regulations 2008

<sup>7</sup> Reg 17 (4), The Standards Committee (England) Regulations 2008

<sup>8</sup> Reg 20 (1)(b), The Standards Committee (England) Regulations 2008

<sup>9</sup> Reg 20 (2)(b), The Standards Committee (England) Regulations 2008

- The Committee's reasons for reaching its decision
- The nature of the action taken (e.g. nature of censure)

## **5 BREACHES OF THE PROTOCOL**

- 5.1 Allegation of breaches of this protocol by Members may be referred to the Monitoring Officer for referral to the Standards Committee, the relevant Leader and/or Chief Whip of the political group.
- 5.2 The Monitoring Officer will refer any complaint which amounts to a complaint of breach of the Members' Code of Conduct to the Standards Committee in accordance with the Local Assessment process.
- 5.3 Members of the Committee should be particularly aware of the requirements of the Members' Code of Conduct in relation to the disclosure of confidential information.
- 5.4 Allegations of breaches by officers are to be referred to the employees' Director for consideration of appropriate action including disciplinary investigation under the Council's Disciplinary Rules.

## **6 MONITORING AND REVIEW**

- 6.1 The workings of this protocol will be reviewed and monitored by the Monitoring Officer on an ongoing basis and any issues reported to the Standards Committee as necessary.