



STANDARDS COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Wednesday, 10th October, 2007
at 2.00 pm

MEMBERSHIP

Independent Members

Mike Wilkinson (Chair)	(Independent Member)
C Grant	(Independent Member)
Rosemary Greaves	(Independent Member)

Councillors

D Blackburn
JL Carter
J Elliott
G Kirkland
E Nash

Parish Members

Councillor Mrs P Walker	Pool in Wharfedale Parish Council
Councillor John C Priestley	East Keswick Parish Council

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p>	
2			<p>EXCLUSION OF PUBLIC</p> <p>To identify items where resolutions may be moved to exclude the public</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any 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</p>	
5			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To approve the minutes of the Standards Committee meeting held on 12th July 2007 and consider any matters arising.</p>	1 - 6
6			<p>MINUTES OF THE CORPORATE GOVERNANCE AND AUDIT COMMITTEE</p> <p>To note the minutes of the Corporate Governance and Audit Committee meeting held on 29th June 2007.</p>	7 - 14

Item No	Ward/Equal Opportunities	Item Not Open		Page No
7			<p>OFFICER DECLARATIONS OF INTERESTS AND GIFTS AND HOSPITALITY</p> <p>To receive an updated report of the Chief Officer (Human Resources) on the steps the Council has taken to embed existing arrangements for Officers to make declarations of interests and declarations of offers of gifts and hospitality.</p>	15 - 22
8			<p>ETHICAL AUDIT ACTION PLAN: COMMUNICATIONS ACTIONS 2A AND 2G</p> <p>To consider a report of the Assistant Chief Executive (Policy, Planning and Improvement) which updates the Committee on the progress of two actions from the Ethical Audit Action Plan to address issues surrounding the promotion of the ethical agenda and the profile of the Standards Committee.</p>	23 - 26
9			<p>ETHICAL AUDIT ACTION PLAN 16A AND 18A – DECISION MAKING</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) recommending an amendment to the Ethical Audit Action Plan in light of a review commissioned by Full Council.</p>	27 - 28
10			<p>COMPREHENSIVE PERFORMANCE ASSESSMENT - USE OF RESOURCES</p> <p>To consider a report of the Director of Resources setting out the main changes to be introduced for the 2008 Comprehensive Performance Assessment, use of resources component.</p>	29 - 34
11			<p>ADJUDICATION PANEL FOR ENGLAND - DECISIONS OF CASE TRIBUNALS</p> <p>To note a report of the Assistant Chief Executive (Corporate Governance) detailing recent decisions by the Adjudication Panel's Case Tribunals in respect of allegations of misconduct, and consider if there are any lessons to be learnt for Leeds.</p>	35 - 44

Item No	Ward/Equal Opportunities	Item Not Open		Page No
12			<p>STANDARDS COMMITTEE COMMUNICATIONS PLAN</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) advising Members of the updated communications plan for the Standards Committee and conduct issues.</p>	45 - 54
13			<p>ADJUDICATION PANEL FOR ENGLAND ANNUAL REPORT 2006/7</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) advising Members of the Committee of the contents of the Adjudication Panel's Annual Report for the year ending 31st March 2007.</p>	55 - 60
14			<p>REVIEW OF MEMBERS' REGISTER OF INTERESTS FROM MAY 2007</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) informing Members of the Committee of the arrangements in place for reviewing the Members' Register of Interests.</p>	61 - 64
15			<p>REVIEW OF MEMBERS' REGISTER OF GIFTS AND HOSPITALITY MAY 2002 - MAY 2007</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) outlining the results of a review of the Members' Register of Gifts and Hospitality since 2002.</p>	65 - 72
16			<p>ANNUAL REPORT REGARDING THE PROTOCOL ON MEMBER OFFICER RELATIONS FOR THE 2006/2007 MUNICIPAL YEAR</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) informing the Standards Committee whether the arrangements set out in the Protocol have been complied with and including any proposals for amendments in the light of any issues that have arisen during the year.</p>	73 - 98

Item No	Ward/Equal Opportunities	Item Not Open		Page No
17			<p>TRAINING ON THE NEW MEMBERS' CODE OF CONDUCT</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) outlining the training which has been provided for Leeds City Councillors and Parish Councillors on the new Code of Conduct.</p>	99 - 106
18			<p>STANDARDS COMMITTEE TRAINING PLAN</p> <p>To consider a report of the Assistant Chief Executive (Corporate Governance) seeking Members comments on the amended Standards Committee training plan, and to seek the Committee's approval of the plan.</p>	107 - 114
19			<p>ETHICAL AUDIT FOR JUNIOR EMPLOYEES OF LEEDS CITY COUNCIL</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) outlining the progress of the ethical audit for junior employees.</p>	115 - 126
20			<p>LOCAL INVESTIGATION INTO A COMPLAINT AGAINST A MEMBER - SBE 16721.06</p> <p>To receive a report of the Chief Officer (Legal, Licensing and Registration) regarding the timeline and a summary of progress of the ongoing local investigation.</p>	127 - 132
21			<p>STANDARDS COMMITTEE WORK PROGRAMME</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) outlining the work programme for the rest of the 2007-08 municipal year.</p>	133 - 140

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Agenda Item 5

Standards Committee

Thursday, 12th July, 2007

PRESENT:

Independent Members

Mike Wilkinson (Chair) (Independent Member)
C Grant (Independent Member)
Rosemary Greaves (Independent Member)

Councillors

E Nash J Elliott
G Kirkland L Russell

Parish Members

Councillor Mrs P Walker Pool in Wharfedale Parish Council
Councillor John C East Keswick Parish Council
Priestley

APOLOGIES:

J L Carter

1 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

2 Exclusion of public

There were no resolutions to exclude the public.

3 Late items

There were no late items admitted to the agenda by the Chair for consideration.

4 Declaration of interests

There were no declarations of personal/prejudicial interest for the purpose of section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.

5 Minutes of the previous meeting

The minutes of the Standards Committee meetings on 11th April 2007 and 1st May 2007 were approved as correct records.

6 Minutes of the Corporate Governance and Audit Committee

The minutes of the Corporate Governance and Audit Committee meetings on 25th April 2007 and 16th May 2007 were received and noted.

7 Ethical Audit Action Plan

The Assistant Chief Executive (Corporate Governance) submitted a report informing the Committee of the Ethical Audit Action Plan which had been created based on the results of the 2006 Ethical Audit to improve ethical governance at Leeds City Council.

The Head of Governance Services attended the Committee meeting to answer any questions from Members.

In the discussion, Members made the following points:

- How the work would be monitored and whether all the reports arising from the action plan would be added to the work programme; and
- Whether the relevant deadlines had been complied with so far, and that work on some of the actions was already underway.

RESOLVED – Members of the Committee resolved to:

- Approve the Ethical Audit Action Plan at Appendix 1 to the report; and
- Agree that the work contained in the Ethical Audit Action Plan (which falls within the Committee's terms of reference) should be added to the Committee's work programme for the year.

8 Amendment to Code of Practice for Determining Planning Applications

The Assistant Chief Executive (Corporate Governance) and the Chief Planning Officer submitted a report proposing changes to the Code of Practice for Determining Planning Applications. This report requested the Standards Committee to review the Code of Practice for Determining Planning Applications with a view to the Code being amended to strongly encourage, as a matter of best practice, the attendance of Plans Panel Members at the site visit and throughout the whole consideration of an application, so they are fully informed of all the relevant planning considerations before a decision is made. The report also recommended further amendments to update the Code of Practice for Determining Planning Applications in light of the revised Members' Code of Conduct.

The Chief Planning Officer attended the Committee meeting to answer any questions from the Committee.

In the discussion, Members made the following points:

- Their concerns that there was too much work for the Plans Panel Members to undertake, and that Members should not be expected to sit on a Panel for that many hours;
- That if the number of panels was increased, there would be less applications per panel and therefore less site visits to attend, and if this was the case it would make these amendments easier to agree to;
- Where Members' attendance at site visits would be recorded and whether it should be published anywhere;
- That a requirement to attend site visits may be impossible for someone who had mobility difficulties, and therefore this would prevent them from taking part. The Assistant Chief Executive (Corporate Governance) outlined that if this occurred the Council would be obliged to make reasonable adjustments;
- That it was possible for Members to opt out of the decision at Plans Panel if they were unable to attend the site visit and therefore did not have enough information, and that it would not always be necessary to attend;
- That if members of the public were able to see the Members on the Plans Panel attending site visits, they would feel like justice was being done;
- What would happen if an application continued over an election period and Members on the Plans Panel changed. It was reported by the Chief Planning Officer that the Chair of the Plans Panel would have the authority to request a repeat site visit;
- Whether Parish and Town Councillors who would also be considering the matter would be able to attend the site visits along with the Members of the Plans Panel. The Chief Planning Officer reported that Parish and Town Councillors would be considered members of the public for the purposes of the Code of Practice and therefore would be discouraged from attending site visits. However they could speak at the relevant plans panel meeting; and
- That site visits on the whole were good for all parties concerned, including the public and the developers.

RESOLVED – Members of the Committee resolved to:

- Amend the Code of Practice for Determining Planning Applications to strongly encourage as a matter of best practice Member attendance at the site visit and throughout the whole of Plans Panel's consideration of an application, as set out in Appendix 1 to the report; and
- Further amend the Code of Practice to reflect the new Members' Code of Conduct, as set out in Appendix 1 to the report.

9 Standards Board for England: Bulletin 33

The Assistant Chief Executive (Corporate Governance) submitted a report informing Members of the Committee of the contents of the Standards Board Bulletin published in May 2007.

RESOLVED – Members of the Committee resolved to note the contents of the report and the attached Bulletin.

10 Standards Board for England Roadshow

The Assistant Chief Executive (Corporate Governance) submitted a report summarising the Standards Board for England Roadshow which took place in Leeds on 7th June 2007.

Members discussed how many panels would be required in order to carry out the new functions which would be given to the Committee from April 2008, and what other issues needed to be considered in preparation for this. It was reported that these matters would be considered in greater detail in a report to the Committee on 5th December 2007.

RESOLVED – Members of the Committee resolved to note the contents of the report.

11 Adjudication Panel for England - Decisions of case tribunals

The Assistant Chief Executive (Corporate Governance) submitted a report on the recent decisions made by the Adjudication Panel for England regarding allegations of misconduct against Members.

RESOLVED – Members of the Committee resolved to note the recent decisions of the case tribunals.

12 Complaints referred to the Standards Board for England in the period October 2006 to March 2007

The Assistant Chief Executive (Corporate Governance) submitted a report on the number of complaints referred to the Standards Board for England in relation to Members of Leeds City Council and local Parish and Town Councillors within the area, under the Members' Code of Conduct.

In the discussion, Members made the following points:

- How the Monitoring Officer becomes aware of these complaints and whether there is an opportunity for mediation before a complaint is made;
- Their concerns at the length of time being taken over the local investigation referred to in the report. Members agreed that there was balance to be struck between the investigation being both as fair but as fast as possible, and noted that it was a performance indicator of the Standards Board in relation to investigations they carry out themselves that 90% of investigations conducted by Ethical Standards Officers are completed within six months.

RESOLVED – Members of the Committee resolved to:

- Note the contents of the report; and
- Request that the investigator submit a report to the next meeting of the Committee providing a timeline of the investigation and the progress made so far.

13 Members' Induction Period 2007

The Assistant Chief Executive (Corporate Governance) submitted a report outlining progress against certain elements of the Members' induction period following the local elections in May 2007.

In the discussion, Members made the following points:

- Their particular concerns about the Parish and Town Councils mentioned in the report and the ethical arrangements they had in place;
- Their lack of power to enforce the standards regime, such as the Members' register of interests;
- That it may be useful for the Chair of the Committee, the Parish Members of the Committee and the Monitoring Officer to meet all the Parish and Town Council Clerks to discuss these issues and how they can be supported by Leeds City Council in order to meet their obligations under the Members' Code of Conduct;
- That it may be useful for the Parish and Town Council Liaison Officer to be involved in this process; and
- That the training provided to Leeds City Council Members and to Parish and Town Councillors on the new Members' Code of Conduct was excellent, and that officers had worked hard to bring this about.

RESOLVED - Members resolved to:

- Note the contents of the report; and
- Require a meeting between all Parish and Town Council Clerks, the Chair and Parish Members of the Committee, and the Monitoring Officer, to discuss the issues raised by the report.

14 Study into the operation and role of standards committees within local authorities

The Assistant Chief Executive (Corporate Governance) submitted a report providing a brief summary of the main conclusions of the study into the operation and role of standards committees carried out by BMG Research and the Standards Board for England.

Members of the Committee discussed the survey result that Monitoring Officers had concerns about the increased resources required by the move to a locally based standards regime. The Assistant Chief Executive (Corporate Governance) outlined that there was likely to be a budget increase required from April 2008 to meet the cost of increased local investigations, which cost an average of £5000 each, as estimated by the Standards Board for England. It was also reported that arrangements with the other West Yorkshire Authorities and with other agencies were being considered as a means of meeting extra demand for investigations.

RESOLVED – Members of the Committee resolved to note the contents of the report.

15 Training for Members of Standards Committee

The Assistant Chief Executive (Corporate Governance) submitted a report seeking Members' comments on the current Standards Committee training plan, and informing the Committee of what progress had been achieved against the plan since it was first approved in January 2006.

In the discussion, Members made the following points:

- A section on Council business and the political context should be included in the training plan, as it can be difficult for external members to be aware of how to access certain documents, for example. It was suggested that a possible method of addressing this would be a mentoring scheme or a buddying system;
- Some Members may need assistance with developing chairing skills, especially if it was going to become a requirement that all sub-committees need to be chaired by an independent member; and
- It was also important for new Members of the Committee to have a briefing session with the Monitoring Officer on what the current issues are for the Committee.

RESOLVED – Members of the Committee resolved to approve the updated training plan attached as Appendix 2 to the report, subject to the above additions being made.

16 Standards Committee Work Programme

RESOLVED – Members of the Committee resolved to note the updated work programme.

Agenda Item 6

Corporate Governance and Audit Committee

Friday, 29th June, 2007

PRESENT: Councillor J Bale in the Chair
Councillors D Blackburn, E Minkin,
C Campbell, G Driver and B Gettings
Co-optee Mike Wilkinson

Apologies None

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

2 Exclusion of Public

There were no resolutions to exclude the public.

3 Late Items

There were no late items admitted to the agenda by the Chair for consideration. However, an amended Appendix One to Item 20 (Minute 20) and an amended page to Appendix One of Item 21 (Minute 21) were circulated to Members.

4 Declaration of Interests

There were no declarations of personal/prejudicial interest for the purpose of section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.

5 Minutes

RESOLVED – that the minutes of the Corporate Governance and Audit Committee meetings held on the 25th April 2007 and 16th May 2007 be approved as a correct record.

6 Minutes of the Standards Committee

RESOLVED – That the minutes of the Standards Committee meetings held on the 11th April 2007 and the 1st May 2007 be noted.

Draft minutes to be approved at the meeting
to be held on Wednesday, 26th September, 2007

7 Annual Audit and Inspection Letter June 2007

The Chief Officer (Executive Support) submitted a report introducing the Annual Audit and Inspection letter.

Paul Lundy, the Audit Commission's Relationship Manager for Leeds City and Council and Adrian Lythgo, from KPMG, were present to introduce the letter and to respond to questions from Members.

Members particularly discussed:

- issues relating to the Council's score for 'direction of travel', which was reported in the letter, and the performance indicators and method used to determine that score;
- which Council body considers, in detail, the Council's performance in areas highlighted in the letter, particularly where the Council is not on course to achieve a target (for example, in relation to teenage pregnancy);
- the role of Members in deciding local priorities; and
- the relationship between the Committee and Scrutiny Boards in monitoring performance.

RESOLVED – Members resolved to:

- receive the Annual Audit and Inspection Letter; and
- request Overview and Scrutiny Committee (OSC) to consider the issues raised in the letter, particularly whether there is scope to consider those matters in relation to teenage pregnancy and worklessness.

8 Standards Committee Annual Report 2006/07

The Assistant Chief Executive (Corporate Governance) submitted a report informing Members of the Standards Committee Annual Report for 2006/07.

The Chair of the Standards Committee, as a co-opted member of the Committee, gave a brief overview of the report, particularly future work that is planned.

Members particularly discussed:

- the training provided to Leeds City Council Members and Parish Councillors in relation to the new Members' Code of Conduct; and
- the increasing involvement of the Standards Committee in the filtering and investigation of complaints.

RESOLVED – Members resolved to note the Standards Committee Annual Report 2006/07.

9 Member Development - Annual Report

The Head of Scrutiny and Member Development submitted a report providing the Committee with the Member Development Annual Report 2006/07. The Annual Report set out the achievements made in 2006/07 and the actions to be taken in 2007/08.

Members noted their overall satisfaction with the Member development opportunities provided by Leeds City Council, although they requested that officers consider the requirements of Councillors who may not be able to attend training due to other commitments.

RESOLVED – Members resolved to note the Member Development Annual Report 2006/07.

10 The Council Plan

The Chief Officer (Executive Support) submitted a report presenting to Members the Council Plan, in the context of providing assurance regarding the Council's system of internal control, as detailed in the Corporate Governance Statement.

The Chief Officer (Executive Support) confirmed that no significant changes had been made to the Council Plan since it was received by Council.

Members particularly discussed the Local Area Agreement.

RESOLVED – Members resolved to;

- note the report to Council and the Council Plan; and
- receive a report regarding the new corporate planning framework, once that report has been received by the Executive Board.

11 Annual Report on Risk Management Arrangements 2006/07

The Director of Resources submitted a report providing an annual report of key risk management and business continuity management developments across the Council and Education Leeds for the reporting period June 2006 to June 2007.

Members discussed:

- the risk management arrangements for Education Leeds and the ALMOs; and
- how city-wide and sub-regional risks are managed by all partners, for example, via the Local Resilience Forum.

RESOLVED – Members resolved to:

- note the annual report on the Council's risk management and business continuity arrangements; and
- request that a briefing session on risk management be arranged as soon as possible.

Councillor Colin Campbell left the meeting at the conclusion of this item.

12 The Annual Internal Audit Report 2006/07

The Director of Resources submitted a report bringing to the attention of the Committee those issues raised by Internal Audit in the annual report for 2006/2007.

Members particularly discussed:

- governance arrangements for grants to voluntary organisations (in particular in relation to Area Committees)
- the content of the Internal Audit plan;
- the Internal Audit arrangements for the ALMOs.

RESOLVED – Members resolved to receive the Annual Internal Audit Report 2006/2007 and approve the audit plan for 2007/08.

13 Report on the review of the effectiveness of the system of Internal Audit.

The Director of Resources submitted a report reviewing the Council's system of internal audit for 2006/07 and highlighting some areas for improvement for 2007/08.

Members discussed the Committee's compliance with the Chartered Institute of Public Finance and Accountancy (CIPFA) best practice guidance on Audit Committees, in particular issues around the membership and chairing of the Committee.

RESOLVED – Members resolved to:

- note the positive outcome of the review of the effectiveness of the system of internal audit;
- endorse the improvement plan for next year's review; and
- request a report to a future meeting of the Committee regarding how the Committee compares to the CIPFA best practice guidance on Audit Committees.

14 Update on the 'Delivering Successful Change' Project

The Director of Resources submitted a report providing an update for the Committee on progress made by 'Delivering Successful Change' (DSC) project in line with the Committee's request at its meeting on the 27th September 2006.

RESOLVED – Members resolved to:

- note the project's continuing progress, in particular Executive Board's approval of the 'Policy on the Governance of Council Business Change Programmes and Projects'; and
- request further quarterly reports to the Committee.

15 Governance of Partnerships

The Assistant Chief Executive (Corporate Governance) submitted a report updating the Committee on progress regarding the governance arrangements of partnerships.

RESOLVED – Members resolved to:

- note the progress so far in relation to the governance arrangements for partnerships;
- approve the definition of partnership proposed in the report;
- approve the criteria and scorecard for establishing whether a partnership is significant, as set out in appendix 3 to the report, subject to officers giving consideration to the addition of two further criteria relating to the timescale of the partnership and the number of participants;
- approve the governance framework set out in appendix 5 of the report;
- approve the proposal to develop a toolkit for the governance of partnerships; and
- request a report to the November meeting of the Committee, identifying the Council's significant partnerships and presenting the governance toolkit.

16 External Audit Report - Building Capacity Review

The Chief Officer (Executive Support) and the Chief Officer (Human Resources) submitted a report advising Members of the receipt of the external auditor's report Building Capacity Review.

Adrian Lythgo and Kevin Wharton were present to answer questions.

RESOLVED - Members resolved to note the report.

17 External Audit Report - Review of e-Government Benefits 2005-06

The Director of Resources submitted a report informing the Committee of the KPMG report 'Review of E-Government Benefits 2005-6', to inform the Committee's view on the Council's arrangements on benefits realisation.

RESOLVED – Members resolved to note the report.

18 Progress Statement - External Audit

The Director of Resources submitted a report presenting to Members a paper produced by the Council's external auditors (KPMG) to show progress against the 2005/06 and the 2006/07 external audit programme.

RESOLVED – Members resolved to note the progress report.

19 External Audit and Inspection Plan for 2007/08

The Director of Resources submitted a report informing Members of the Audit Commission's proposed work and their fees for 2007/08.

Members commented particularly on the proposed work in relation to value for money and the Council's Youth Service.

RESOLVED – Members resolved to note the plan for 2007/08.

20 Corporate Governance Statement 2007

The Assistant Chief Executive (Corporate Governance) and the Director of Resources submitted a joint report providing an introduction and commentary on the Council's Corporate Governance Statement for 2007.

A slightly amended version of the Statement was circulated for Members' consideration. Amendments were made to the list of signatories for the Statement and additional text was inserted at 2.12.6 and 2.12.7 regarding the ALMOs.

Members particularly discussed areas for improvement for the coming year and how the Committee can be involved in shaping the work the Council undertakes in this area. In particular, Members discussed the need to improve the accessibility of the Council's website and what actions need to be taken in order to improve community engagement.

RESOLVED – Members resolved to:

- approve the Corporate Governance Statement, as circulated, and authorise the Leader of the Council, the Chief Executive, the Assistant Chief Executive (Corporate Governance) and the Chair of the Committee to sign the document on behalf of the Council; and
- to request a further report on how to make the Committee / governance components of the Council's website more accessible.

21 The Statement of Accounts 2006/07

The Director of Resources submitted a report introducing the 2006/07 Statement of Accounts for Members approval.

Doug Meeson Chief Officer (Financial Management) informed Members of a number of minor changes that had been made to the accounts since Members received the agenda. These were explained and a new copy of the accounts made available.

RESOLVED – Members resolved to approve the 2006/07 Statement of Accounts. The Chair undertook to sign the appropriate section within the Statement of Responsibilities on page 1 of the accounts.

22 Report on Programme and Project Assurance Arrangements

The Director of Resources submitted a report providing an introductory overview of the project assurance function and the services it provides and setting out how the service is evolving to meet challenges relating to the way in which the Council's business change is managed.

RESOLVED – Members resolved to:

- note the report and the work of the project assurance unit; and
- receive further reports, on an annual basis, which provide a more detailed assessment of the adequacy of the Council's evolving programme and project management arrangements.

Councillor Minkin left the meeting at the conclusion of this item.

23 Arrangements for meetings with the Councils External Auditors

The Director of Resources submitted a report proposing a process by which Members of the Committee can request a private meeting with the Council's external or internal auditors.

Officers clarified that the process set out in the report refers to arranging meetings between the auditors and the Committee, not individuals.

RESOLVED – Members resolved to approve the procedures outlined in the report for requesting private meetings with the external auditors or internal auditors.

24 Work Programme 2007/08

The Assistant Chief Executive (Corporate Governance) notifying the Committee of the draft work programme for 2007/08.

RESOLVED – Members resolved to note the draft work programme.

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Originator: Christine
Atkinson/ Gary
Ansboro
Tel: 0113 24 74177

Report of the Chief Officer (Human Resources)

Standards Committee

Date: 10th October 2007

Subject: Update: Informed, Transparent Decision Making – Officer Declarations

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of the Officer Code of Conduct, part of the Council's Constitution, is to ensure that employees are aware of and abide by the standards of behavior expected of them by Leeds City Council. In June 2006, Internal Audit reviewed practice in six departments, three of them in detail. In response in July 2006 a report outlined the best practice and areas where improvements could be achieved to improve Corporate Governance.
2. In April of this year the Chief Officer – HR reported on actions taken to address shortfalls that had been identified. The purpose of this report is to provide a follow-up as requested. Corporate HR developed a cross-council team and action plan to embed, monitor and report on a robust corporate approach to Officer Declarations for the Register of Interests.
3. The report outlines the approach taken, progress to date, and ongoing work on electronic tracking and recording of Registers of Interests.
4. Corporate HR has also undertaken research related to options for making the registers public in appropriate cases.
5. Standards Committee is asked to note the progress achieved and the future programme of work to continue to achieve high standards of governance.

1.0 Purpose Of This Report

- 1.1 This report is to provide a follow-up report as requested in April of this year. At the April Standards Committee meeting, the Chief Officer – HR submitted a report to provide details of actions HR has taken to improve arrangements for Officers to make declarations of interests and declarations of offers of gifts and hospitality. The report further updated the Standards Committee on progress that HR has made in establishing systems and processes since Internal Audit issued their findings on 26th July 2006.
- 1.2 The report considers two elements of employee conduct. The first relates to the Register of Interests and ongoing steps to inculcate high standards of awareness and adherence to the requirement for completion and return by **all** employees.
- 1.3 The second element concentrates on members' request to further consider those with responsibility for delegated decisions i.e. senior managers and whether current provisions are, and will remain, appropriate. This is particularly in the face of increases in those responsibilities which will be part of the One Council programme referred to further below.

2.0 Background Information

- 2.1 In 2004 when the then Office of the Deputy Prime Minister prepared its consultation paper on a model code of conduct for Local Government Officers there was recognition that the function undertaken by some employees in a management capacity may make them subject to a code which mirrors elected members. However this does not apply to the majority of employees whose responsibilities are delegated by the council. In the absence of the introduction of that national code this report proposes how it might be possible to introduce local terms which require more stringent conditions for certain management tiers.
- 2.2 Overall the aim of the Officer Code of Conduct in the council's constitution is to ensure that all employees are aware of the standards of behaviour expected of them by Leeds City Council. The Code of Conduct refers to the requirement to annually register employee private life interests which may potentially conflict with their work and to register offers of gifts and hospitality when appropriate.
- 2.3 Members requested that they be updated on the progress achieved with regard to the roll out of an electronic return methodology for declarations of interest. This had originally been successfully piloted in Corporate Services and Chief Executives and Members had therefore been informed of the plans for implementation in the rest of the council's departments.

3.0 Main Issues

- 3.1 Progress report
- 3.2 One of the key findings of the 2006 Audit report on Officer Declarations was the success of a pilot exercise conducted in Corporate/Chief Executives Departments. These two Departments achieved high return rates for Officer Declarations by: distributing electronic return forms through established email groups; recording and tracking all returns on a custom database; and chasing staff by email who had not

submitted returns. This best practice has now been shared and accepted across the Council.

- 3.3 This electronic method now covers 9,460* employees who have each been emailed with an electronic return to complete along with guidance on how to complete the form. This represents over 50% of all employees. The remaining 9,290 *employees without access to email have been contacted through normal Departmental communication channels. Return rates in Departments replying on non-electronic means are significantly less. Each department has therefore been asked to identify the significant barriers to obtaining returns and address these in order to improve ongoing return rates.

*This excludes schools, Education Leeds and Almos see below .

- 3.4 The process is based on two electronic systems Lotus Notes email and an MS Access database. Each member of staff is contacted annually via email (excepting those in “hot spot areas” where the frequency is 6 monthly see 3.6 below) and are reminded of their obligation to complete declaration forms and the content of their previous year’s return. One further reminder is issued before the Chief Officer for the Service is informed of those who have not yet replied. Chief Officers then speak to individual members of staff and ensure completion. Employees who have previously registered a “nothing to register” return, will be allowed to take no further action if their circumstances have not changed and this will be confirmed as their continued status.
- 3.5 The personnel database SAP is used to produce up to date staff numbers and the electronic recording system is in place in all Departments which will allow accurate analysis of the results once they have been collected. This system has now been shown to be capable of producing high standards of returns – up to a 100% return. The full details of responses are attached at appendix 1. Departments have been asked to identify how they will maintain and improve future levels of returns as appropriate and have been asked to produce action plans to track this. Also they must monitor declared interests on an ongoing basis including a report to the Departmental Management Team detailing this.
- 3.6 Similarly, although the procedure that has been established requires that Registers of Interests should be collected annually, it may be appropriate to request six-monthly returns from employees in some higher risk or hot spot services. For instance Procurement, Planning and Legal Services have been particularly identified within Corporate Service/Chief Executives. Chief Officers will be expected to implement 6 monthly returns where such risk is identified. All Directors have therefore been asked to identify the services where a 6 monthly check will take place.

Action points notified to Directorates are therefore summarised as follows

- Appropriate senior managers to identify higher risk work areas where six monthly returns may be appropriate. DMTs to ensure that returns with positive declarations are assessed and dealt with at service level as appropriate.
- DMTs to be provided with a report from their respective nominated HR contact listing the positive declarations received and highlighting potential conflict areas. Information also to be provided regarding statistical

outcomes regarding the level of returns and plans for ensuring high levels of future returns and dealing with identified barriers.

- HR Directorate contacts to ensure that continued steps are taken to chase current outstanding returns (not applicable in all directorates).

3.7 Separate arrangements have been made in Education Leeds and the Almos. Education Leeds have confirmed that they are organising annual register of interests returns from all staff and monitor the returns for possible conflicts of interests. HR Team Leaders monitor return rates. Housing Almos are similarly conducting annual declaration of interests. In this case the Strategic Landlord is responsible for ensuring the maintenance of corporate governance standards and Corporate HR will liaise with Education Leeds HR and the Strategic Landlord regarding developments in governance standards.

4.0 Ongoing Work and Research on Practice in Other Authorities

4.1 In addition to the departmental monitoring described, there will be an additional level of monitoring by the Chief Officer HR who will independently scrutinise Register of Interest forms.

4.2 Other Authorities

4.3 Research within the Yorkshire and Humberside area, with the core cities and with Welsh authorities has shown that no other authorities are making their registers public.

4.4 A range of comparator policies have also been obtained from other authorities across the country and research conducted on the internet. At the moment no marked variation has been found from the format within our own Constitution.

5.0 Legal And Resource Implications

5.1 Each Department has identified dedicated resources to maintain and report on the system for recording Officer Declarations. The Chief Officer HR will continue to report annually to Corporate Governance Officer Group identifying returns and issues for ongoing learning and improvement.

6.0 Conclusions

6.1 Departments are making progress in embedding best practice with regard to the Code of Practice and the electronic system of Register of Interests is now implemented council wide. Continued work will ensure further improvements in the standards of accountability and resulting governance.

6.2 However, in preparing this report it is evident that achieving transparency in decision making and identifying those situations where impartiality may be compromised will not be achieved solely by use of a register of interests, even if the contents of the register are made available to a wider audience. It is therefore proposed that a more detailed programme of work will be undertaken to consider the elements of the register, the extent of potential for conflicts of interests outside the scope of the register, and how best these issues can be dealt with.

7.0 Recommendations

- 7.1 The Standards Committee is asked to note the progress achieved with regard to the overall system for all employees' completion of the Register of Interests.
- 7.2 The Standards Committee is asked to note the proposal to undertake further work and to receive a further report at the next meeting of this Committee in December.

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Appendix 1

Department	% Return Rate		% Interest Registered	
	06/07	07/08	06/07	07/08
Corporate Services	95%	99%	14%	14%
Chief Executives	81%	94%	13%	13%
Neighbourhoods and Housing	Not available	100%	Not available	10.5%
Learning and Leisure	Not available	25%	Not available	4%
Social Services *	Not available	28%	Not available	8.9%
City Services	Not available	30%	Not available	1.5%
Development	Not available	82%	Not available	10.4%

* Includes Children's and Adults Social Services

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Originator: Alison Sherratt

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Report of the Assistant Chief Executive (Policy, Planning and Improvement)

Standards Committee

Date: 10th October 2007

Subject: Ethical Audit Action Plan: Communications Actions 2a and 2g

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 satisfies two actions from the Ethical Audit Action Plan attributed to Corporate Communications to address issues surrounding the promotion of the ethical agenda and the profile of the Standards Committee.
2. The Standards Committee chose to request Corporate Communications to carry out two pieces of work in order to try and address areas of concern in the results of the Ethical Audit. These were:
 - Action 2a - Corporate Communications team to consider impact and relevance of ethical framework on Council values and to ensure that the communications plan in relation to the values includes appropriate reference.
 - Action 2g - Consider the use of Team Talker and Intranet Log in pages for wide spread publication and advertisement of one off messages regarding the ethical agenda.
3. Members of the Committee are asked to note the information in this report regarding the use of the Council Values, Team Talk and the Internet Portal.

1.0 Purpose Of This Report

- 1.1 This report satisfies two actions from the Ethical Audit Action Plan attributed to Corporate Communications to address issues surrounding the promotion of the ethical agenda and the profile of the Standards Committee.

2.0 Background Information

- 2.1 During the discussions concerning the results of the Ethical Audit, several areas of concern were identified. These included:

- That a high proportion of officers don't know that the Council has a Code of Conduct for Members, meaning complaints may not get forwarded due to lack of awareness;
- A significant proportion of officers and Members are unsure whether the Council's approach encourages appropriate behaviour or is building public confidence in local democracy;
- A small proportion of Members, and a larger proportion of officers are unaware of the existence and role of Standards Committee; and
- Large numbers of Members and officers don't agree or don't know that the Standards Committee makes a positive difference to the ethical environment.

- 2.2 The Standards Committee chose to request Corporate Communications to carry out two pieces of work in order to try and address these matters. These were:

- Action 2a - Corporate Communications team to consider impact and relevance of the ethical framework on Council values and to ensure that the communications plan in relation to the values includes appropriate reference.
- Action 2g - Consider the use of Team Talker and Intranet Log in pages for wide spread publication and advertisement of one off messages regarding the ethical agenda.

These pieces of work were requested to be reported to this Committee meeting.

3.0 Main Issues

Council values

- 3.1 Leeds City Council, like many other councils, has a set of values which illustrate how they operate and what they represent - fairness, equality and commitment to their customers. The values are drawn from the ideas and beliefs of people throughout the organisation. They define the Council by saying clearly who they are, what they do and how they do it.
- 3.2 A strong and successful organisation has an unmoveable set of values that should influence every aspect of its business. They show staff and customers what they believe in, how they choose to operate and, used effectively, promote loyalty and pride.
- 3.3 The Leeds City Council values are as follows:

- **Looking After Leeds** We are committed to improving the quality of life in Leeds and want to inspire pride in our city and communities. We will work with our partners, build on our successes and protect our city for future generations.
- **Putting Customers First** We will make sure our services meet the needs of our customers and communities. We will communicate clearly and work hard to find out and respond to our customers' needs. We are committed to providing excellent services that are value for money.
- **Treating People Fairly** We value the diversity of our communities and strive to ensure that everyone shares in the city's success. We will tackle discrimination and improve access to our services - especially to those with the greatest need.
- **Valuing Colleagues** We know that the good work of our colleagues is key to providing excellent services. We will support colleagues and encourage them to work creatively.

3.4 The Council values are communicated in a variety of ways, including through Council badges, mouse mats, internal documents and on the Council's screen saver. There is no communications plan for the Council values, but the Communications Team will ensure that appropriate reference is made to the ethical framework when promoting the values.

Use of Team Talker and Intranet log-in pages

3.5 Leeds City Council employs over thirty thousand staff, has 99 elected members and serves a population of nearly three-quarters of a million people. It is therefore very important that the Council equips its staff with the skills and knowledge they need to communicate accurate and timely messages to the people of Leeds.

3.6 To be able to do this, everyone needs to understand the aims and objectives of the organisation and their role in achieving these. Internal communications is therefore very important and research has found that high performing organisations place a premium on highly motivated and well informed staff - as a key to their success.

3.7 The Team Talk team brief system enables managers to cascade information right down the organisation, quickly and regularly. Team Talk makes sure that everyone receives up-to-date, relevant information on a regular basis, and brings a number of important benefits across our organisation, including reducing misunderstandings and increasing commitment. Any member of staff is able to suggest a corporate message to be included within Team Talk by emailing Corporate Communications within the appropriate timescales.

3.8 Officers who have web publishing rights are able to create news items for the intranet and internet. These will be displayed on the intranet portal if they are classified as a main issue. If the Committee have any messages or news items which need to be publicised in this way, this can be undertaken by Corporate Communications.

4.0 Implications For Council Policy And Governance

4.1 Communicating messages about the ethical agenda and the work of the Standards Committee more widely, supports good governance by ensuring that all Members and officers are aware of their responsibilities.

4.2 Raising the profile of the ethical agenda and the Standards Committee will also contribute to the Comprehensive Performance Assessment, as it will help to contribute to the following key line of enquiry: “The council is proactive in raising the standards of ethical conduct among members and staff, including the provision of ethics training”.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications to this report.

6.0 Conclusions

6.1 This report addresses two areas of concern for the Standards Committee arising from the results of the Ethical Audit. These concerns are as follows:

- That links need to be made between the ethical agenda and the Council values; and
- That Team Talk and the Internet Portal could be used for communicating key ethical messages.

6.2 The Council values are communicated in a variety of different ways, including through the Council badges, mouse mats, screen savers and internal documents.

6.3 Team Talk and the Internet Portal could be used for communicating key ethical messages, where appropriate.

7.0 Recommendations

7.1 Members of the Committee are asked to note the information in this report regarding the use of the Council Values, Team Talk and the Internet Portal.



Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Ethical Audit Action Plan 16a and 18a – Decision Making

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

1.1 To recommend amendment to the Ethical Audit Action Plan.

2.0 Background Information

2.1 The Ethical Audit revealed that;

“Significant proportions of Members and officers were unsure that the public can access information in relation to decision making”.

And

“Concern re public ability to access Member code of conduct, register of interests and documents relating to the Standards Committee.”

2.2 The discussion around these two findings centered on the concern that Members are only sometimes or rarely a focus for positive change, a lack of clarity over Member accountability and that a significant proportion of Members and officers are unsure that the public can access information in relation to decision making.

2.3 In response it was agreed that the Head of Scrutiny and Member Development would draft terms of reference for a Scrutiny Inquiry into the transparency of decision making. This was also to include consideration of accessibility of information through the Council’s internet site. These are identified within the Ethical Audit Action Plan as items 16 (a) and 18 (a).

2.4 Since the drafting of this Action Plan full Council agreed on 20th June the following; *“Chief Executive to bring forward a report, no later than the October cycle of meetings, with recommendations as to how Councillors can be better involved with the decision making process within Council operations and also on the increasing number of outside bodies to which funding is delegated, particularly by the Government. Council further instructs the Chief Officer to bring forward a new system of officer delegation to reflect greater democratic involvement.”*

2.4 This work is now being undertaken and in many respects will duplicate the proposed Scrutiny Inquiry identified in the Ethical Audit Action Plan. With this in mind it is recommended that the proposed Scrutiny Inquiry does not take place.

3.0 Implications For Council Policy And Governance

3.1 Amendments to the Constitution may be required dependent upon the outcome of the review and the wishes of Council.

4.0 Legal And Resource Implications

4.1 There are no specific legal or resource implications arising from the recommendation in this report.

5.0 Recommendation

5.1 It is recommended that items 16a and 18a in the Ethical Audit Action Plan relating to the drafting of terms of reference for a Scrutiny Inquiry into the transparency of decision making be removed in light of the review commissioned by full Council.



Originator:	Doug Meeson
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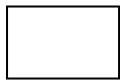
Report of Director of Resources

Standards Committee

Date: 10th October 2007

Subject: Comprehensive Performance Assessment – Use of Resources

Electoral Wards Affected:



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report provides members of the Standards Committee with a summary of the Use of Resources assessment which is part of the Comprehensive Performance Assessment. It particularly focuses on the changes that are being introduced for 2008, but also comments on the potential and significant changes that will be introduced from 2009 as part of the Government new Comprehensive Area Assessment.

1.0 Purpose Of This Report

- 1.1. The annual assessment of the Council's use of resources forms a key component of the Council's overall Comprehensive Performance Assessment. Overall, the Council scored a 3 in the 2006 assessment, which translates as the Council performing consistently above minimum standards – performing well.
- 1.2. Following a period of consultation, the Audit Commission at the end of July 2007 issued revised key lines of enquiry to be used in the use of resources assessments to be undertaken in 2008. The 2007 assessment which is currently underway will be undertaken in accordance with guidance previously issued. The result of this assessment will be announced in December 2007.
- 1.3. This paper sets out the main changes to be introduced for the 2008 assessment. The use of resources assessments conducted in 2008 will be the fourth and last that will form part of the current Comprehensive Performance Assessment. The Local Government White Paper, Strong and Prosperous Communities sets out a new performance framework for local services, the Comprehensive Area Assessment that will be implemented from 2009. The White Paper identifies use of resources as an important element of the new framework that is still to be developed, and this report points to some of the areas that are likely to be subject to further development as part of that new framework to be introduced from 2009.

2.0 Background Information

- 2.1. The use of resources judgements assess how well councils manage and use their financial resources. The assessment focuses on the importance of having sound and strategic financial management to ensure that resources are available to support the council's priorities and improve services. It makes judgements in five areas:
 - financial reporting;
 - financial management;
 - financial standing;
 - internal control; and
 - value for money.

In addition, each theme is broken down into a number of Key Lines of Enquiry (KLOEs), of which there are 11 in total.

- 2.2. Auditors use the following scale, which has been adopted by the Commission across all its inspections and assessments, to form their judgements:
4 = well above minimum requirements – performing strongly;
3 = consistently above minimum requirements – performing well;
2 = at only minimum requirements – adequate performance; and
1 = below minimum requirements – inadequate performance.
- 2.3. In forming their judgements for each theme, auditors consider their assessment of the Key Lines of Enquiry that make up the theme. The Key Lines of Enquiry are supported by 'descriptors' for the value for money theme and 'criteria' for themes other than value for money. These describe what performance at each level might look like, or identify the arrangements that should be in place. Descriptors and criteria are included for performance levels 2, 3 and 4. Level 1 is represented by councils that do not achieve level 2.

- 2.4. For the themes other than value for money (VFM), the Key Lines of Enquiry consist of criteria in plain and bold type. Only those shown in bold type and marked with an asterisk represent 'must haves' for that level. The general requirement is that failure to meet any criteria in bold type would prevent the council from achieving that level of performance. The table below shows the requirements for each performance level for the themes other than VFM. The criteria are cumulative, for example, a council that met criteria at level 3 could not be given a score of 3 unless it also met the criteria for level 2.

Performance	Requirement
Level 2	All criteria at level 2 met.
Level 3	All level 2 arrangements embedded and working effectively with clear outcomes. All bold criteria at level 3 met and embedded.
Level 4	All bold criteria for levels 2 and 3 embedded. Display innovation or best practice that can be shared with other authorities. NB Level 4 criteria are indicative only of level 4 performance.

- 2.5. The VFM theme uses a different approach. This theme does not contain emboldened criteria because the assessment is more judgemental and is not underpinned by an equivalent body of professional standards and guidance. This is why they use the term 'descriptors' instead of 'criteria'. The Council's auditor assesses which set of descriptors represent a 'best fit' for the council.
- 2.6. The overall use of resources score is based on combining auditors' scores for each of the five themes according to the following table:-

Score for each of the 5 themes	Overall Use of Resources Score
At least two 4's and no score below 3	4
At least three 3's and no score below 2	3
Three or more score of 2 or more	2
Any other combination	1

3.0 Use of Resources 2008 Main Changes

- 3.1 The new key lines of enquiry for 2008 are available from the Committee Clerk. The main changes which are relevant to the Standards Committee are summarised below:-

General

- 3.2 All level 3 criteria to be mandatory i.e. must meet them all to achieve level 3. Currently only all level 2 criteria are mandatory, although in reality most of the current 3 criteria are mandatory. This as now does not apply to the VFM theme which has always been treated slightly differently.

Internal Control

- 3.3 *The Council has put in place arrangements to monitor compliance with standards of conduct in respect to use of IT resources and complaints (new level 2).*

The Council has a set of guidelines for Members on appropriate use of IT resources. The Standards Committee has decided to include a reference to the use of IT resources in the Protocol on Member Officer Relations, and has contributed to the consultation process for the recent review of the Guidelines for Members Using ICT Equipment.

3.4 *Standards Committee Members are prepared for their role in local investigations and determination (new Level 2).*

The Standards Committee undertook training on how to conduct a hearing in February 2006 and in July 2007, which included relevant case law and a mock hearing exercise. The Committee also holds a meeting after every real hearing it conducts in order to consider how the procedure could be improved, which includes consideration of the experiences of the Member concerned. This information is then used to update the Standards Committee Procedure Rules, if appropriate. Furthermore, the Committee receives summaries of all Adjudication Panel and other notable cases at every Committee meeting which enables them to build up an understanding of relevant case law and factors to take into account.

The Standards Committee have also prepared for their role in the filtering of local complaints through taking part in the Standards Board for England pilot project which enabled the Committee to work through twenty real life cases.

3.5 *The work of the standards committee is communicated openly to a wider public (new Level 3).*

The Standards Committee's agendas, reports and minutes are available to the public on the Council's website, from Civic Hall and the library. The meetings themselves are also open to the public and are advertised in the same manner as other committee meetings.

The Standards Committee's work is featured in the newsletter 'Governance Matters' which is available to download from the Council's website. The Committee also publish their own annual report which is available from the Council's website and is accompanied by a press release when published.

The Standards Committee also features in the Corporate Governance Communications Plan which highlights such methods as press releases in the Yorkshire Post, articles in the Council's newspaper (About Leeds), and producing a specific leaflet about standards issues to be distributed to the 'one-stop' centres and libraries in Leeds. These methods of communicating standards issues to the wider public have not yet been fully explored or utilised.

4.0 Implications for Council Policy and Governance

4.1 This report at this time does not have any specific proposals for Council policy and governance, but responding to the new 2008 framework may potentially require the Council to review certain of its governance arrangements.

5.0 Legal and Resource Implications

5.1 There are no specific or new legal or resource implications of this report.

6.0 Conclusions

- 6.1 Whilst a number of the changes for the 2008 use of resources assessment simply represent a strengthening of the current requirements, it is clear that a number of them extend the scope and coverage of the assessment and will be challenging.
- 6.2 The Council's approach to the assessment in the past has been to provide the auditors with a self assessment, which has been co-ordinated by Financial Management, and it is thought that this will continue to be a sensible approach to ensure that the auditors are informed as much as possible as to how the Council approaches these matters. Whilst the actual assessment for 2008 will not be until April – October 2008, it is proposed that a base line exercise is undertaken for the new and revised criteria. It should also be noted that the Council will need to demonstrate that procedures and processes are in place prior to the 31st March 2008.

7.0 Recommendations

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

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Originator: Amy Kelly

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Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Adjudication Panel for England: Decisions of Case Tribunals

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 provides summaries of the recent decisions made by the Adjudication Panel for England regarding allegations of misconduct against Members. The case tribunal decisions have each been summarised and then conclusions drawn regarding whether there are any lessons to be learnt for Leeds City Council.
2. Members of the Committee are asked to note the recent decisions of the case tribunals and to consider the lessons to be learnt for Leeds City Council.

1.0 Purpose Of This Report

- 1.1 This report provides summaries of recent decisions made by the Adjudication Panel for England in its role of determining allegations of misconduct. Further details of specific cases are available at www.adjudicationpanel.co.uk

2.0 Background Information

- 2.1 The recent decisions are summarised below, in order that Members of the Committee may consider if there are any lessons to be learned by this authority. Copies of each case summary published on the Adjudication Panel for England's website have been sent separately to those Members who have requested them.
- 2.2 The Committee will note that the majority of cases highlight the need for comprehensive and regular training for elected and co-opted Members, on the detailed requirements of the Code of Conduct.
- 2.3 Members of the Committee may wish to note that the cases have been separated into those involving Parish and Town Councils, those involving Borough, City or District Councils, and those which are appeals against local standards committee decisions, for ease of reference.

3.0 Main Issues

Borough, City and District Councils

Great Yarmouth Borough Council

- 3.1 It was alleged that a Councillor had failed to comply with paragraphs 2(b) and 4 of the Code of Conduct by:
- Accusing planning officers of colluding with a planning inspector over the allocation of land in the local plan;
 - Accusing a planning officer of deliberately misleading Members in committee meetings;
 - Accusing a planning officer of lying to Members;
 - Making comments to staff about a planning officer's competence;
 - Complaining to the local government ombudsman that a planning officer was professionally incompetent;
 - Telling Members (at a meeting of the Council) that he had heard four people with connections to the Council, mislead the Court from the witness box.
- 3.2 On another occasion the Councillor also used a subordinate officer to convey a message to his line manager which implied that the Councillor would seek the line manager's resignation if a case went against the Council.
- 3.3 The case tribunal decided that the Councillor had breached the Code of Conduct as outlined above, with the exception of accusing a planning officer of lying to Members.
- 3.4 The case tribunal considered that the Councillor's actions revealed a disturbing attitude and lack of judgement, and that he had impugned the integrity and reputation of Council officers and others in the most improper way. Throughout the

hearing he had also failed to admit to certain aspects of his behaviour and had sought to blame his conduct on others. As well as this he retracted an apology he had previously made prior to the hearing. Therefore they had no confidence that this behaviour would not be repeated should the Councillor be elected again. The Councillor was disqualified for 18 months as a result.

- 3.5 **The Chief Executive of the Standards Board for England commented on this case as follows: “while Members are entitled to question and challenge officers about their work, it is important that Councillors set a tone of mutual respect, trust and professionalism”. This is in accord with the Protocol on Member Officer Relations, which provides Members with clear instructions as to how to raise concerns regarding an officer’s performance, and sets the tone for all relations between Members and Officers.**

Rushmoor Borough Council

- 3.6 It was alleged that a Councillor had failed to comply with the Code of Conduct by engaging in a pattern of abusive and disrespectful behaviour, particularly towards the Council’s Head of Housing, in which he failed to treat her with respect (contrary to paragraph 2(b) of the Code) and in so doing brought his office or authority into disrepute (contrary to paragraph 4 of the Code).
- 3.7 The pattern of behaviour included sending several faxes containing accusations regarding the officer’s competence, writing to another Councillor suggesting the officer should be sacked for her incompetence, referring to the officer by name in a radio interview about a constituent’s case and accusing her of not caring about the matter.
- 3.8 The case tribunal considered all the allegations separately to consider whether there had been breaches of the Code, but also considered the Councillor’s actions in their totality to decide if there was evidence of a pattern of behaviour which could result in the perception of the Councillor failing to treat people with respect. The case tribunal decided that there was a sustained and relentless attack on the officer concerned and that the attack was made in language that was inappropriate, intemperate, derogatory and threatening. The case tribunal took account of the fact that senior officers should expect a degree of robust language in their dealings with Councillors, but that this incident went beyond what was acceptable.
- 3.9 The case tribunal considered that the Councillor had also brought his office or authority into disrepute through the unfounded allegations of corruption amongst officers. These allegations were made without any evidence and were expressed in such a manner as to make the officers appear guilty without them having the opportunity to respond or provide a defence.
- 3.10 The case tribunal took into account the seriousness of the breaches, the manner in which the Councillor had conducted himself throughout the hearing and investigation, and that he had shown no sense of the responsibilities imposed on him by the Code of Conduct.
- 3.11 The case tribunal also took several factors into account in mitigation. These were:
- The Councillor was a very active Councillor who had a reputation for championing resident’s rights;

- There was evidence that the Councillor might not have received the support from the Council that he could expect and that he may have been the victim of unacceptable attention;
- That there was a pre existing relationship between the Councillor and the Head of Housing which was already strained due to disagreements about work being undertaken on the Councillor's own home, and that the Council were slow in contemplating an alternative contact for housing matters;
- There was inconclusive evidence as to whether the Councillor had ever received any training or guidance on the Code of Conduct;
- The Councillor failed to understand that the Head of Housing's role was mainly strategic and that she had limited operational responsibility for housing; and
- The Councillor had not used his office for personal gain and had acted with caring motives.

3.12 The case tribunal decided that the Councillor should be disqualified from being or becoming a member of a relevant authority for three months.

3.13 **In Leeds, the Protocol on Member/Officer Relations gives clear guidelines to Members on how to raise concerns about an officers' actions. The Protocol instructs Members "not to raise matters openly or through the media relating to the conduct or capability of an officer". Officers have no means of responding to such criticism, and furthermore, if the officer is found to be at fault, open criticism may prejudice the bringing of disciplinary proceedings against the officer. Instead the Member should avoid any personal attacks or abuse of the officer at all times, ensure that any criticism is well founded and constructive, never make a criticism in public, and take up the concern with the officer privately, or if that is inappropriate, with their respective Director.**

The Council Change Programme has resulted in changes to the roles of some Senior Officers, and so it is important that Members are made aware of roles of Members and who to contact for advice on certain matters. It is anticipated that this will be addressed by the Communications Team.

Mansfield District Council

3.14 The case tribunal received a reference from an Ethical Standards Officer in relation to allegations that the Mayor of Mansfield had failed to comply with the Code of Conduct by:

- Using his position improperly by introducing a local businessman to Robin Hood Worldwide Limited (RHWL) in order to try to secure an advantage for the company of which he was at the time a director; and
- Further using his position improperly by his involvement on matters relating to RHWL's dealings with the Council, including when the Council was taking legal action against the company, to secure an advantage for the company of which he had formerly been a director.

It was alleged that in so doing he brought his office or authority into disrepute contrary to paragraph 4 of the Code.

3.15 The Mayor had publicly disagreed with the decision of Nottingham City Council to stop using Robin Hood as their logo and promotional tool, and had stated that he would use Robin Hood as part of Mansfield's marketing tools. He therefore supported RHWL's proposals to build a Robin Hood theme park in or around

Mansfield, and was asked to become a director of the company. This was an unpaid position, without any operation involvement in the company, and was similar to acting as a patron for the project.

- 3.16 Since becoming a director of the company, the Mayor attended a meeting at Ashfield District Council, which included representatives from RHWL, to discuss a possible site for the theme park. The Mayor also introduced a local businessman (Mr C) to another director of RHWL with the intention of sharing office space. An agreement was subsequently signed between the parties to share the office space, with RHWL being responsible for rents and rates. The Council was not party to this agreement and no rent was paid in respect of the tenancy by either Mr C or RHWL.
- 3.17 A few months later the Mayor resigned as a director of RHWL. The Council's Chief Executive emailed the Mayor advising him, due to his previous connections with the company, that he was not in a position to resolve issues surrounding the tenancy and to refer the director of the company to officers instead. The Council then issued a final demand to RHWL for rents.
- 3.18 A month later the director of RHWL wrote to the Council's Head of Finance claiming to have reached an agreement with the Mayor, provided that RHWL settle arrears within three months, that the Council would not take any action. When questioned about this, the Mayor claimed not to recall signing a written agreement, but may have made a verbal agreement in an effort to resolve the situation.
- 3.19 After court proceedings had begun against Mr C and RHWL, the Mayor met the director of RHWL. They both signed a note at the meeting, the Mayor doing so on behalf of the Council. The note stated that the Council had agreed to terminate Mr C's lease and to agree a new lease on the same terms with RHWL. The note also stated that the Council would withdraw the court order against RHWL.
- 3.20 Six months later the Council were awarded possession of the property and withdrew proceedings against RHWL as the lease placed responsibility for the rent on Mr C, and the record of the meeting between the Mayor and the director of RHWL made it difficult for the Council to succeed in proceedings against RHWL.
- 3.21 The case tribunal was of the opinion that there was a need for clear divisions between public bodies and commercial organisations, even when there is a common goal. Therefore the Mayor should not have accepted a directorship of RHWL even though it was unpaid, as company law does not draw a distinction between paid and unpaid directors. Also RHWL was a commercial organisation whose aim was to make profit. All its dealings with other organisations, including the Council, would have been conducted from this standpoint. The scope for conflicts of interest and impropriety would be both considerable and obvious, in the case tribunal's opinion, and refusing the directorship would not have impaired the Mayor's ability to help and support.
- 3.22 The case tribunal understood that the Ethical Standards Officer would conclude that the Mayor had breached the Code of Conduct, as there was a pattern of behaviour by the Mayor which appeared to favour RHWL and which could not easily be explained. However the case tribunal did not agree that the introduction of Mr C to the director of RHWL amounted to conferring or securing an advantage on or for RHWL. The Mayor was not involved in the negotiations for sharing the tenancy and could not be said to have conferred an advantage on either party.

- 3.23 During the meeting between the Mayor and the director of RHWL, when it was noted that the Council would withdraw proceedings against RHWL, the case tribunal found that the Mayor had not acted in accordance with recognised local government practice, as he met the director alone and without legal advice. However they also found that the meeting did not confer an advantage to RHWL and there was no intention to do so. This was because both parties testified that the note was not supposed to be binding and instead acted as a record of the discussion. Therefore the Mayor's actions were ill-advised rather than improper.
- 3.24 For these reasons the case tribunal concluded that the Mayor did not breach paragraph 5(a) of the Code of Conduct, in that he did not use his position to improperly confer an advantage or disadvantage on any other person. In view of the fact that no breach of paragraph 5(a) occurred, the case tribunal also decided that there was no sustainable case that the Mayor had brought his office or authority into disrepute contrary to paragraph 4 of the Code of Conduct.
- 3.25 **In Leeds, Members have access to guidance on their involvement in commercial transactions. Members are instructed that "It is very important that the processes adopted for these purposes are, and are seen to be, open, and that the Council is, and is seen to be, accountable for the transactions it carries out". The guidance also states that allegations of unfairness and impropriety are more likely to be made where a Member is personally involved than where negotiations are left to the Council's professional officers or independent advisers. It asks Members to therefore ensure that they do not take a personal role in negotiations in relation to individual transactions of any nature. This guidance is reproduced in paragraph 2.16 in the Protocol on Member Officer Relations (also included on this agenda).**

Appeals against local standards committee decisions

Chorley Borough Council and Wheelton Parish Council

- 3.26 Two Parish Councillors appealed against the decision by the Standards Committee of Chorley Borough Council to censure the Parish Councillors and require them to send an apology to the Clerk of Wheelton Parish Council in respect of their failure to declare a personal interest in accordance with paragraph 8 of the Code of Conduct. The Parish Councillors were given permission to appeal against the sanction only.
- 3.27 The two Parish Councillors were siblings whose mother owned a piece of adjoining land to a disused quarry. Since quarrying stopped in the area, the land had been used by local residents for walking and recreation. The three Parish Councils in the area, including Wheelton Parish Council, had agreed to work together to acquire the land and develop it for community use. The access to the quarry land was through two paths on the adjoining land which were not public rights of way. Wheelton Parish Council met in June 2006 to discuss the land but neither Councillor declared an interest in that item.
- 3.28 The Standards Committee decided that the Councillors had a personal interest in the matter as the development of the land was likely to affect their mother's well-being to a greater extent than the other inhabitants of the authority's area, as she owned the land which was required for access.

- 3.29 The Councillors appealed against the sanction on the following grounds:
- They had not received formal training on the Code of Conduct;
 - They had sought advice from officers regarding whether the interest needed to be registered and were told that it did not; and
 - Wheelton Parish Council had been proactive in trying to arrange a seminar on the Code of Conduct and to seek guidance.
- 3.30 The appeals tribunal upheld the sanction imposed by the Standards Committee as it was of the view that the combination of a censure and a requirement for an apology was an appropriate sanction in this matter.
- 3.31 The sanction imposed was appropriate given that the breach had been inadvertent and there had been no adverse consequences as a result. However the breach was not insignificant. In the appeals tribunal's opinion, it should have been apparent to the Councillors that their mother's interest in the adjoining land would affect her well-being to a greater extent than the other inhabitants of the authority's area. The appeals tribunal accepted that the potential effects of the purchase of the quarry land were not fully known, but felt that it was obvious that the decision would have an impact on their mother's well-being, however minor.
- 3.32 The appeals tribunal considered that although the Councillors had sought advice regarding whether this matter should be included in the register of interests, they had not sought advice on whether they may have a personal interest under the well-being test. In the appeals tribunal's opinion they should have sought advice on the matter and failed to do so.
- 3.33 The appeals tribunal also felt that the Councillors did not understand the distinction between personal interests arising from registerable matters and those from well-being issues, and therefore recommended that the Councillors, and possibly all Members of Wheelton Parish Council, receive training on the Code of Conduct.
- 3.34 **In Leeds, a series of training sessions on the Code of Conduct are being carried out for Leeds City Councillors and Parish and Town Councillors within the Leeds area. Members also have access to a flowchart on interests which should assist them to consider the different ways in which a personal interest may arise.**

Shrewsbury & Atcham Borough Council and Great Hanwood Parish Council

- 3.35 The Councillor appealed against the decision made by the Shrewsbury & Atcham Borough Council's Standards Committee that he had failed to comply with paragraph 13(d) of the Code by failing to register his interest as a member of the Campaign for an English Parliament (CEP).
- 3.36 The Councillor appealed the decision on the grounds that he had been found in breach of the Code of Conduct for a matter different from that which had formed the basis of the complaint and referral to the Monitoring Officer. The original complaint made referred to the Ethical Standards Officer referred to the Councillor's role as branch co-ordinator of the CEP, not to his role as an ordinary member.
- 3.37 The appeals tribunal found that the Councillor's role as the branch co-ordinator whilst being arguably of more significance than his mere membership of the CEP,

was not, based on the wording of the Code of Conduct, a matter which on its own automatically triggered a requirement to register that involvement.

- 3.38 The appeals tribunal were of the opinion that the findings of the investigator that the Councillor was not in breach due to his role as branch co-ordinator but was in breach as a member of the CEP, should have been referred back to the Ethical Standards Officer rather than presented to the Standards Committee, as unlike Ethical Standards Officers, investigators do not have the right to bring further allegations based on their findings.
- 3.39 The appeals tribunal also found that the Councillor's role as member of the CEP was an interest that should have been declared in the register of interests and if this had been the subject of the initial complaint, or if this had been investigated and found by an Ethical Standards Officer then this would have been the allegation that the Councillor faced during a hearing.
- 3.40 The appeals tribunal also found that the Councillor's human rights had been breached as the investigation was flawed for the reasons outlined above.
- 3.41 The appeals tribunal decided that the finding of the Standards Committee was not supportable, as the report before the Committee was flawed. Therefore the finding of the Committee must also have been flawed. For the reasons above, the Standards Committee decision was quashed by the appeals tribunal.
- 3.42 **In Leeds, the Standards Committee Procedure Rules instruct the investigator of a complaints to "have regard during the conduct of the investigation to any relevant guidance issued by the Standards Board to the Monitoring Officer". The Standards Board guidance is very clear in stating: "During the course of the investigation, you may uncover evidence of conduct by members that breach the Code of Conduct but extends beyond the scope of the investigation referred to you. Your powers relate only to the allegation that you have been given. If you uncover evidence of a possible breach that does not directly relate to the investigation, you should ask the person from whom you have obtained the information to make an allegation to the Standards Board for England, or make an allegation yourself. You should not investigate it."**

4.0 Implications For Council Policy And Governance

- 4.1 There are no implications for Council Policy.
- 4.2 By continually monitoring decisions made by the Adjudication Panel and the implications for Leeds, the Standards Committee is fulfilling its terms of reference by keeping the codes and protocols of the Council under review.
- 4.3 By identifying problem areas the Standards Committee are also able to improve the training provided for Members on conduct issues, and maintain good conduct in the Council.

5.0 Legal And Resource Implications

- 5.1 There are no legal or resource implications to noting this report.

6.0 Conclusions

- 6.1 This report summarises the case tribunal decisions that have been published by the Adjudication Panel for England since the last Committee meeting. The possible lessons to be learnt for Leeds City Council are highlighted in bold at the end of each summary.

7.0 Recommendations

- 7.1 Members of the Committee are asked to note the latest decisions of the Adjudication Panel's case tribunals, and consider if there are any lessons to be learned for Leeds.

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Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Standards Committee Communications Plan

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report to advise Members of the updated communications plan for the Standards Committee and conduct issues, and to seek approval of the updated plan.
2. In order to address the lack of awareness and understanding of the Standards Committee and its role, Corporate Communications were asked to prepare a communications plan for the Standards Committee. However, as the Committee already had an approved communications plan, the existing plan was instead updated to take account of new media for communication and timescales. The updated communications plan is attached at Appendix 1 to this report.
3. As made clear in the draft communications plan, the Standards Board Bulletin and other publications will be made available to Members and officers via email, and to Parish and Town Councils through correspondence. Therefore standard publications will no longer be duplicated in the Standards Committee agenda.
4. Members of the Committee are asked to comment on and approve the communications plan attached at Appendix 1.

1.0 Purpose Of This Report

1.1 The purpose of this report is to advise Members of the updated communications plan for the Standards Committee and conduct issues, and to seek approval of the updated plan.

2.0 Background Information

2.1 Members of the Committee first approved a communications plan for the Standards Committee and conduct issues in January 2006.

2.2 During the discussions concerning the results of the Ethical Audit 2006, several areas of concern were identified. These included:

- That a high proportion of officers don't know that the Council has a Code of Conduct for Members, meaning complaints may not get forwarded due to lack of awareness;
- A significant proportion of officers and Members are unsure whether the Council's approach encourages appropriate behaviour or is building public confidence in local democracy;
- A small proportion of Members, and a larger proportion of officers are unaware of the existence and role of Standards Committee; and
- Large numbers of Members and officers don't agree or don't know that the Standards Committee makes a positive difference to the ethical environment.

2.3 The Standards Committee chose to request that a communications plan was created for the Standards Committee to identify and segment audiences and objectives, to identify appropriate media for communication and allocate timescales (Ethical Audit Action 10a).

3.0 Main Issues

Standards Committee Communications Plan

3.1 The Standards Committee noted a lack of awareness amongst Members and officers of the existence of Standards Committee and its role, in the results of the Ethical Audit 2006. In comparison with the results in the national database, the results regarding the awareness and understanding of the Standards Committee are slightly lower than average.

3.2 In order to address this lack of awareness and understanding, Corporate Communications were asked to prepare a communications plan for the Standards Committee. However, as the Committee already had an approved communications plan, the existing plan was instead updated to take account of new media for communication and timescales. The updated communications plan is attached at Appendix 1 to this report.

3.3 Many of the actions identified in the communications plan are already carried out by Governance Services (for example, publicising Governance Matters and distributing Standards Board Bulletins), but some of the actions are specific to the Communications Team, such as the inclusion of articles in About Leeds.

Communications' role with assisting in the delivery of the Committee's communications plan would be to help with the key messages and make sure information is consistent.

Distribution of external publications

- 3.4 As made clear in the draft communications plan, the Standards Board Bulletin and other publications will be made available to Members and officers via email, and to Parish and Town Councils through correspondence. Therefore standard publications will no longer be duplicated in the Standards Committee agenda.

4.0 Implications For Council Policy And Governance

- 4.1 Communicating messages about the ethical agenda and the work of the Standards Committee more widely supports good governance by ensuring that all Members and officers are aware of their responsibilities.
- 4.2 Raising the profile of the ethical agenda and the Standards Committee will also contribute to the Comprehensive Performance Assessment, as it will contribute to the following key line of enquiry: "The council is proactive in raising the standards of ethical conduct among members and staff, including the provision of ethics training".

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to this report.
- 5.2 There are some resource implications to some of the communications methods highlighted in the plan (attached). These are clearly identified in the plan itself.
- 5.3 Distributing the Standards Board publications electronically where possible and not duplicating them in the Standards Committee agenda will save paper and resources.

6.0 Conclusions

- 6.1 In order to address the lack of awareness and understanding of the Standards Committee and its role, Corporate Communications were asked to prepare a communications plan for the Standards Committee. However, as the Committee already had an approved communications plan, the existing plan was instead updated to take account of new media for communication and timescales. The updated communications plan is attached at Appendix 1 to this report.
- 6.2 As made clear in the draft communications plan, the Standards Board Bulletin and other publications will be made available to Members and officers via email, and to Parish and Town Councils through correspondence. Therefore standard publications will no longer be duplicated in the Standards Committee agenda.

7.0 Recommendations

- 7.1 Members of the Committee are asked to comment on and approve the communications plan attached at Appendix 1.

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CORPORATE GOVERNANCE COMMUNICATION PLAN – MEMBERS

Issue Area	Message	Method	Distribution	Dates
Conduct	To raise awareness of the whole ethical framework governing local authorities	Governance Matters newsletter. Intranet	Via e-mail / Intranet	Bi monthly – began October 2005
		Induction	Via Corp Gov Pages	Update periodically when there are changes and review yearly (AGM)
		Training	Handouts / Presentation Handouts / Presentation / E-learning module / DVD	
		External publications	E-mail / hardcopy.	Periodically when publications / news received.
		Governance Matters newsletter. Intranet	Via e-mail / Intranet	Bi monthly – began October 2005
		Induction Training	Via Corp Gov Pages Handouts / Presentation Handouts / Presentation / E-learning module / DVD	Update yearly
	Raise awareness of the Code of Conduct for Members, the Member/officer protocol and other local codes and protocols	Governance 'event'		Yearly at full Council
		Pocket guide to local codes and protocols	Distributed through induction packs / training sessions	
		Governance Matters newsletter. Intranet	Via e-mail / Intranet	Bi monthly – began October 2005
		Induction	Via Corp Gov Pages	Update yearly
		Training	Handouts / Presentation Handouts / Presentation / E-learning module / DVD	
		E-mail reminders		Every three months.

Issue Area	Message	Method	Distribution	Dates
Conduct	Inform, remind and explain to Members the requirement to declare interests at meetings.	Governance Matters newsletter.	Via e-mail / Intranet	Bi monthly – began October 2005
		Intranet	Via Corp Gov Pages	Update yearly (AGM)
		Induction	Handouts / Presentation	
		Training	Handouts / Presentation / E-learning module / DVD	
		Aide Memoir (to identify potential interests)	Personal email to Committee Members	Before Committee meetings
		Governance Matters newsletter	Via e-mail / Intranet	Bi monthly – began October 2005
		Intranet	Via Corp Gov pages	Update periodically if there are changes to committee TOR.
		Internet	Via Committee pages (created by Modern Gov)	Update pre/post each committee.
		Induction	Handouts / Presentation	
		Training	Handouts / Presentation / E-learning module / DVD	
Standards Committee Annual Report	Published on internet	Annual		
General Press Release	Via local papers	When SC hearings are completed.		
Intranet	Portal News Bulletin	When SC hearings are completed.		
Governance Matters newsletter	Via e-mail / Intranet	Bi monthly – began October 2005		
Intra-net	News Portal			
External publications	Via e-mail / hardcopy			
To inform Members of Standards Committee hearings outcomes.	To inform Members of general news relating to standards issues referred to us by other sections of the Council and / or external bodies.	Governance Matters newsletter	Via e-mail / Intranet	Bi monthly – began October 2005
		Intra-net	News Portal	
External publications	Via e-mail / hardcopy			

CORPORATE GOVERNANCE COMMUNICATIONS PLAN – OFFICERS

Issue Area	Message	Method	Distribution	Dates
Conduct	To inform and remind officers of their responsibilities in relation to the Council's ethical framework. For example, to register gifts and hospitality, to declare interests and other local codes and protocols.	Governance Matters newsletter. Intranet Intranet Induction Staff appraisal scheme Away days Training	Via e-mail / Intranet Via Corp Gov Pages Portal news Handouts / Presentation Build in governance issues into senior officer appraisal scheme Handouts / presentation / DVD	Bi monthly – began October 2005 Update yearly (AGM) Once yearly
	To inform senior officers of the role of the Council's Standards Committee – it's terms of reference, and inputs and outputs throughout the year.	Governance Matters newsletter Intra-net Intra-net	Via e-mail / Intranet Via Corp Gov pages Via Committee pages	Bi monthly – began October 2005 Update periodically if there are changes to committee TOR. Update pre/post each committee.
	To inform officers of general news relating to standards issues referred to us by other sections of the Council and / or external bodies.	Governance Matters Newsletter. Intra-net External publications	Via e-mail / intranet News portal E-mail / hardcopy.	Bi monthly – began October 2005 Periodically Periodically when publications / news received.

CORPORATE GOVERNANCE COMMUNICATION PLAN – PUBLIC (Leeds Residents)*

Issue Area	Message	Method	Distribution	Dates
Conduct	To raise awareness among members of the public of the Councils ethical framework including the register of interest, codes of conduct and other codes and protocols.	About Leads	News in Brief Items	Bi monthly – began October 2005
		Internet Specific leaflet – 'Rough Guide' £	Via Corp Gov pages Internet, libraries, one stop shop, information centre.	Update yearly
	To inform members of the public of their rights of access to information related to the Council's ethical framework. For example, the register of interest, codes of conduct and other codes and protocols.	About Leads	News in Brief Items	Periodically
		Internet Specific leaflet – 'Rough Guide' £	Via Corp Gov pages Internet, libraries, one stop shop, information centre.	Update yearly
	To inform members of the public of the role of the Council's Standards Committee – it's terms of reference, and inputs and outputs throughout the year.	Governance Matters newsletter	Via internet	Bi monthly – began October 2005
		Internet	Via Corp Gov pages	Update periodically if there are changes to committee TOR.
		Internet	Via committee pages	Update pre / post committee
		Press Releases	Yorkshire Post	
	To raise awareness among members of the public of the roles and responsibilities of their local councillors, including membership of committees.	Internet	Via Council and Democracy pages	
		Internet	Via the individual committee pages	
Specific Leaflet 'Rough Guide' £		Internet, libraries, one stop shop, information centre.		

*Financial implications:

There is a potential cost attached to implementing a 'rough guide' to corporate governance, indicated in the plan by a £ sign.

CORPORATE GOVERNANCE COMMUNICATION PLAN – PARISH COUNCILS

Issue Area	Message	Method	Distribution	Dates
Conduct	To raise awareness of the whole ethical framework governing local authorities.	Training	Handouts/Presentations	
		Induction	Handouts/Presentations	
		Governance Matters newsletter	Via Internet	Bi monthly – began October 2005
		Internet	Via Corp Gov pages	
		Correspondence	Standards Board publications	
		Correspondence	Reminders to parish clerks via letter and email	Quarterly
		Internet	Via Parish Council pages	Update yearly
		Governance Matters newsletter	Via Internet	Bi monthly – began October 2005
		Training	Handouts/Presentations	
		Induction	Handouts/Presentations	
		Internet	Governance Matters newsletter	Bi monthly – began October 2005
		Internet	Via Parish Council pages	Update yearly
		Induction	Handouts/Presentations	
Training	Handouts/Presentations			
Correspondence	Standards Committee Agenda/Minutes/Annual Report	Update pre / post committee		
Internet	Governance Matters	Bi monthly – began October 2005		
Internet	Via committee pages	Update pre / post committee		
Conduct	To inform Members of general news relating to standards issues referred to us by other sections of the Council and / or external bodies.	Correspondence	Via email and letter to parish clerks	
		Correspondence	Via Standards Board for England publications	

Appendix 1

Issue Area	Message	Method	Distribution	Dates
		Internet	Governance Matters newsletter	Bi monthly – began October 2005
		Internet	Via parish council pages	
		Report	Via Parish Council Liaison Forum	
	To inform Members of Standards Committee hearings outcomes.	General Press Release	Via local papers	When SC hearings are completed.



Originator: Amy Kelly

Tel: 0113 39 50261

Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Adjudication Panel for England Annual Report 2006/7

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. To advise Members of the Committee of the contents of the Adjudication Panel's Annual Report for the year ending 31st March 2007.
2. The third Adjudication Panel Annual Report concentrates on several aspects of the Panel's work:
 - Casework
 - Appeals against Standards Committee determinations
 - Complaints
 - High Court appeals against Case Tribunal decisions
 - Casework statistics
3. Members of the Committee are asked to note the contents of this report and to consider the implications of the suggestion that Standards Committee Members should be trained in the competencies set out by the Judicial Studies Board.

1.0 Purpose Of This Report

- 1.1 To advise Members of the Committee of the contents of the Adjudication Panel's Annual Report for the year ending 31st March 2007.

2.0 Background Information

- 2.1 This report is the third Annual Report from the Adjudication Panel. The first report was published in March 2005 and concentrated on the early years of the Panel's work, and the second was published towards the end of 2006.
- 2.2 The Annual Report 2006/7 can be downloaded from the Adjudication Panel's website
http://www.adjudicationpanel.co.uk/documents/web_final_ape_annual_report.pdf or alternatively a hard copy is available from the author of this report.
- 2.3 The third Adjudication Panel Annual Report concentrates on several aspects of the Panel's work:
- Casework
 - Appeals against Standards Committee determinations
 - Complaints
 - High Court appeals against Case Tribunal decisions
 - Casework statistics

3.0 Main Issues

Introduction by the President

- 3.1 The President of the Adjudication Panel, Mr Laverick, outlines the uncertainty there has been during the previous year, especially regarding the interpretation of the Code of Conduct following Ken Livingstone's successful appeal and the proposed changes to the procedural framework.
- 3.2 It is proposed that the Adjudication Panel will soon be moved from the sponsorship of the Department for Communities and Local Government to being part of the first-tier tribunal to be sponsored by the Ministry of Justice, although this is dependent on legislation.
- 3.3 Members of the Standards Committee will recall that in the last annual report, Mr Laverick put forward an argument that hearings by Standards Committees should be chaired by a lawyer familiar with the "Competency Framework for the Chairmen and Members of Tribunals 2002" produced by the Judicial Studies Board. In response to this, the Committee wrote a letter to the Adjudication Panel, the Standards Board for England and the Committee for Standards in Public Life. The Standards Board for England confirmed that this opinion was not shared by them, and it was not likely that this would become a requirement for Standards Committees in future.
- 3.4 However in this annual report, Mr Laverick reiterates this view, and claims that further evidence has come to light during this past year to support his argument. Of the six applications for appeal that were allowed to proceed, five of them alleged bias or procedural impropriety on the part of the Standards Committee. Mr Laverick argues that if the government are still not persuaded that an independent and

experienced lawyer should chair the local hearings, then the Standards Board should be asked to arrange suitable training programmes to ensure that current Chairs are able to fulfill the role and meet the competencies set out by the Judicial Studies Board.

Casework

- 3.5 There has been a significant reduction in the number of cases referred to the Adjudication Panel in comparison with previous years. Only 8 references were received from Ethical Standards Officers last year in comparison with 66 in the previous year, and the Adjudication Panel only made 19 decisions last year in comparison with 89 in the previous year.
- 3.6 The Adjudication Panel has a target of completing its work within 16 weeks of receiving a reference from an Ethical Standards Officer. This target was only achieved in 42% of the decisions made this year, in comparison with 72% the previous year. There are two main reasons for this failure, firstly that the case could not be concluded within a day, and secondly because the panel granted Councillors' requests that the matter be delayed.
- 3.7 In response to criticism about the length of time taken by the process, Mr Laverick argues that the reality is that some Councillors think that delaying the process would benefit them. In some cases requests are valid, for instance to take account of availability of a witness, but in other cases they are less valid. In particular, the Adjudication Panel cite the case of Councillor Janik (details provided in the section regarding High Court appeals).

Appeals against Standards Committee determinations

- 3.8 Thirteen applications were received last year for permission to appeal against the determinations of local Standards Committees, whereas 18 were received in the previous year. As a percentage of decisions taken by Standards Committees, the number of applications for appeal have decreased from 16% to 7%.
- 3.9 The Appeals Tribunal considered 11 appeals in comparison with 6 the previous year. The decision of the Standards Committee was upheld in 5 cases, dismissed in 4 cases, and the other two appeals resulted in a different sanction being imposed on the Councillor.

Complaints

- 3.10 Seven complaints were received about some aspect of the Adjudication Panel's work within the last year. These were made about the conduct of panel members, the hearing, administration issues, and the decision or wording of the decision.
- 3.11 The two complaints about administration issues led to alterations to the website to display start times for each tribunal and to staff consulting locally regarding whether to publish the notice of the appeal decision in the same newspaper as the Standards Committee used to publish their original finding.

High Court appeals against Case Tribunal decisions

- 3.12 Two High Court appeals were decided in the last year. The first appeal was that of Ken Livingstone, and this one was successful. The second was that of Mr Janik, and this appeal failed.
- 3.13 Mr Janik's appeal was largely about the decision of the Case Tribunal to proceed with the hearing in his absence. The hearing was originally delayed due to a medical condition and was subsequently rescheduled. Mr Janik was also unable to attend on the rescheduled date.
- 3.14 The Case Tribunal considered whether there would be another date when Mr Janik would be able to represent himself. However given that there was:
- no prognosis of his condition;
 - no reason provided as to why he was unable to represent himself;
 - no evidence as to what damage the hearing would have on his health;
 - the previous hearing had been adjourned due to a last minute doctor's note; and
 - no response from Mr Janik as to the substance of the complaints made against him
- The Court agreed that the Case Tribunal were justified in their decision to proceed with the hearing in Mr Janik's absence.
- 3.15 In addition the evidence in the case was almost entirely written, and the Case Tribunal had been informed that the Mr Janik was continuing with the kind of conduct which formed the substance of the allegations against him. Therefore the decision to disqualify Mr Janik for one year was upheld.

Casework statistics

- 3.16 The casework statistics in the annual report show that the most common sanction imposed by Case Tribunals is one year's disqualification. This sanction has been applied in 120 decisions. The second most common is a finding of 'Breach but no further action' (reached in 39 decisions), and thirdly a finding of 'No Breach' (reached in 30 decisions).
- 3.17 Parish and Town Councils account for the highest percentage of cases referred for a Tribunal with 61%, whilst District/Borough/City Councils account for 29% of cases.
- 3.18 The most common origin of the complaint is the Monitoring Officer (31% of cases), followed by a fellow Councillor (30% of cases). Members of the public only account for 12% of complaints as do Council employees and Parish Clerks.
- 3.19 Finally, Yorkshire and Humberside as a region only account for 6% of cases referred for a Tribunal.

4.0 Implications For Council Policy And Governance

- 4.1 The President of the Adjudication Panel's recommendation that Standards Committees should be chaired by a lawyer when conducting hearings is contrary to the Council's current arrangements. If the Committee were minded to comply with this advice, amendments would have to be made to the make up of the Standards Committee.

5.0 Legal And Resource Implications

- 5.1 The High Court appeals which are summarised in this Annual Report provide useful case law for interpreting the Code of Conduct.
- 5.2 There are no resource implications to this report.

6.0 Conclusions

- 6.1 The Adjudication Panel have published their Annual Report for the year ending March 2007. The report provides useful case law on the Code of Conduct.
- 6.2 The President of the Adjudication Panel has again recommended that Standards Committee should be chaired by a lawyer when conducting hearings, which is contrary to the Council's current arrangements.

7.0 Recommendations

- 7.1 Members of the Committee are asked to note the contents of this report and to consider the implications of the suggestion that Standards Committee Members should be trained in the competencies set out by the Judicial Studies Board.

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Originator: Amy Kelly

Tel: 0113 39 50261

Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Review of Members' Register of Interests from May 2007

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to inform Members of the arrangements in place for reviewing the Members' register of interests.
2. Since the adoption of the new Code, Members have submitted their new register of interests and have received one email in August 2007 asking them to review their register since then. The register entries for the co-opted members of the Council have also been re-submitted in the new format and they have also been prompted to review these entries.
3. In order to show that the Council is achieving the required standards in Corporate Governance the register of interests must be up to date and undisputed. In this way the review procedure for the register of interests contributes towards the Comprehensive Performance Assessment.
4. Members of the Committee are asked to note the review procedures in place and consider whether the arrangements provide sufficient assurance.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to inform Members of the arrangements in place for reviewing the Members' register of interests.

2.0 Background Information

- 2.1 When the Council adopted the new Code of Conduct on 24th May 2007, all Members were required to re submit their register forms in the next 28 days.
- 2.2 The new version of the form also includes a section about gifts and hospitality, meaning that any gifts and hospitality received by the Members over the value of £25 need to be added to their register of interests. The separate gifts and hospitality register is therefore now obsolete and all declarations of gifts and hospitality are now public.

3.0 Main Issues

- 3.1 The procedure for keeping the register of interests up to date includes a system of regular reminders, and also periodic checking of interests declared at meetings.

Regular Reminders

- 3.2 The Corporate Governance Officer will regularly remind all Members about their obligations to register interests. On a three monthly basis The Corporate Governance Officer will issue an email to all Members.
- 3.3 Members are not obliged to respond to these reminders. However any amendments arising from the email can be accepted via email or letter as well as a notification of change form. If Members wish to notify the Corporate Governance Officer of any changes orally, the changes will be confirmed in writing.
- 3.4 Every six months the reminder issued to Members will be a targetted email. This will incorporate specific guidance on a particular area of the register which may require amendment.
- 3.5 If the Member fails to respond to repeated reminders and prompts to update their register entry where there is an obvious omission or mistake, the Member will be contacted with the advice that this may be considered a breach of the Members' Code of Conduct and that the Member's failure to respond may be taken into account by the Standards Board for England in consideration of any complaint made against the Member. The Monitoring Officer will also be advised of the situation.

Declarations made at Committee meetings

- 3.6 All interests declared by Members at Committee meetings are recorded as part of the official minutes.
- 3.7 The interests declared during Committee meetings are checked against the entry in the Register for the appropriate Member by the Governance Officer in attendance. The Corporate Governance Officer will also carry out a similar check for each Member on a three monthly basis.

- 3.8 If the declared interest is registrable but is not contained within the Member's Register entry, the Corporate Governance Officer will send a letter or email to the Member asking them to update their entry if appropriate.
- 3.9 If the Member fails to respond to repeated reminders and prompts to update their register entry where there is an obvious omission or mistake, the Member will be contacted with the advice that this may be considered a breach of the Members' Code of Conduct and that the Member's failure to respond may be taken into account by the Standards Board for England in consideration of any complaint made against the Member. The Monitoring Officer will also be advised of the situation.

Results of August Review

- 3.10 The first review of the new register was completed in August. All Members were sent an email reminding them of the need to update their entry, and also incorporating specific guidance on the registration of gifts and hospitality, as this is a new field in the register of interests. Several Members took the opportunity to update their register.
- 3.11 There have been approximately 62 gifts declared in the register of interests since the Annual Meeting, but only 9 of these were not received by the Lord Mayor or Deputy Lord Mayor. During the same period last year there were 10 gifts declared in the separate register of gifts and hospitality. This may show Members' increased awareness of the requirement to declare receipt of gifts and hospitality.
- 3.12 There have been no declarations of interest made at committee meetings since 24th May 2007 arising from Members' receipt of gifts or hospitality.

4.0 Implications For Council Policy And Governance

- 4.1 The arrangements for making all register entries available via the internet contribute to the openness and accountability of the Council, and mean that the public can access information about Members' interests 24 hours a day, rather than during office hours.
- 4.2 The review procedure for the register of interests contributes towards the Comprehensive Performance Assessment. Part of the key lines of enquiry for the area of Corporate Governance is the effectiveness of the register. In order to show that the Council is achieving the required standards in Corporate Governance the register of interests must be up to date and undisputed.

5.0 Legal And Resource Implications

- 5.1 There are no legal or resource implications to this report.

6.0 Conclusions

- 6.1 The system for maintaining the Members' Register of Interests includes regular reminders and checks of declarations of interests made at committee meetings undertaken by Governance Officers.
- 6.2 The review procedure for the register of interests contributes towards the Comprehensive Performance Assessment. Part of the key lines of enquiry for the

area of Corporate Governance is the effectiveness of the register. In order to show that the Council is achieving the required standards in Corporate Governance the register of interests must be up to date and undisputed.

7.0 Recommendations

- 7.1 Members of the Committee are asked to note the review procedures in place and consider whether the arrangements provide sufficient assurance.



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Review of Members' register of gifts and hospitality May 2002 – May 2007

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 presents to the Standard Committee statistical data in relation to declarations of gifts and hospitality recorded by Members during the period 2002-2007. The report highlights any trends that have been identified in terms of:
 - the number of gifts / hospitality received each year;
 - the Members receiving the largest numbers of gifts / hospitality (i.e. Leader / Lord Mayor); and
 - the organisations making the largest numbers of donations.
2. Based on the information provided it is possible to identify trends in the types of Members receiving gifts and the types of organisations provided them. The Assistant Chief Executive (Corporate Governance) proposes that, for even greater assurance, some further analysis is undertaken to establish whether there are any links between registered gifts / hospitality and particular decisions taken during the last 12 months.
3. Standards Committee is recommended to consider the information provided in this report.

1.0 Purpose Of This Report

- 1.1 This report presents to the Standard Committee statistical data in relation to declarations of gifts and hospitality recorded by Members during the period 2002-2007. The report highlights any trends that have been identified in terms of:
- the number of gifts / hospitality received each year;
 - the Members receiving the largest numbers of gifts / hospitality (i.e. Leader / Lord Mayor); and
 - the organisations making the largest numbers of donations.

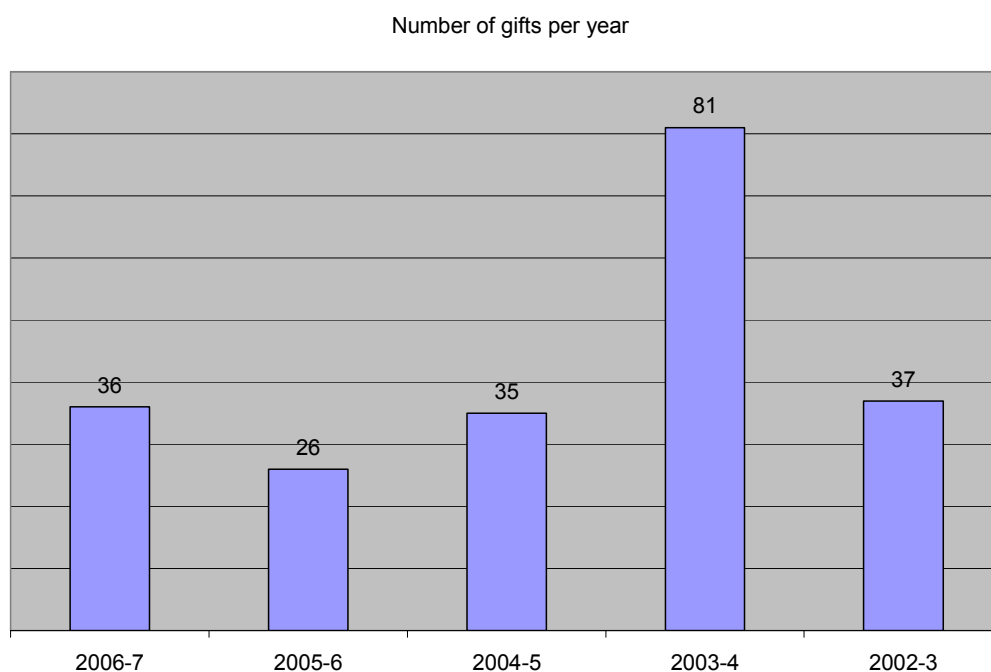
2.0 Background Information

- 2.1 In order to assess the information in the register, the register has been split into municipal years, and then compared by number of gifts and any special positions of the recipient.
- 2.2 The value of the gifts and the number of days taken to make the declaration have only been regularly and accurately recorded in the last municipal year, and therefore these details cannot be used for comparison.
- 2.3 Finally, the top eight donors have been identified along with the percentage of gifts throughout the five year period they account for. Those who have provided less than three gifts within the five years have not been identified.

3.0 Main Issues

Number of Gifts

- 3.1 The number of gifts received in each municipal year can be seen in the chart below.



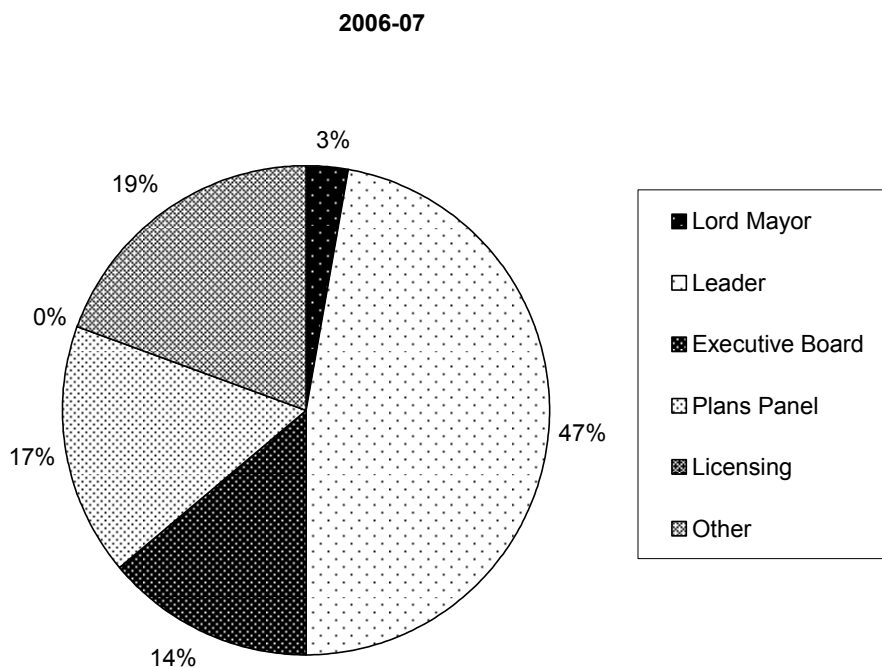
- 3.2 There was an increase in the number of gifts and hospitality recorded in the 2003-2004 municipal year. This is accounted for by the 65 personal gifts and hospitality

recorded by the Lord Mayor during this year. The number of gifts and hospitality recorded by the Lord Mayor is much higher than in other years, and seems to be due to the Lord Mayor declaring gifts and hospitality in this register rather than the separate register kept by the Lord Mayor's Secretary.

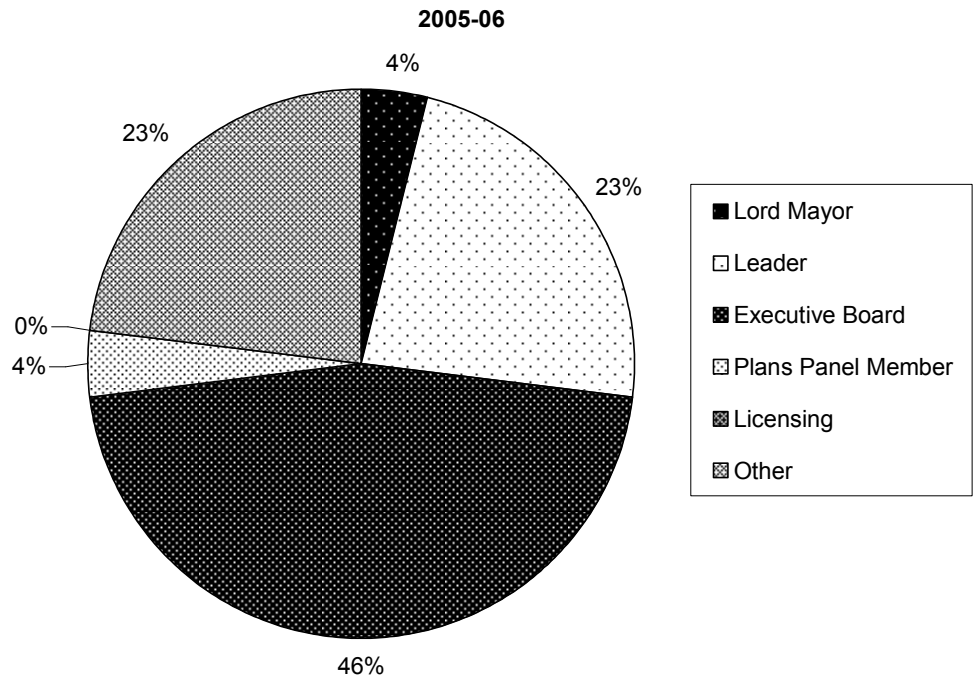
- 3.3 The Lord Mayor's Secretary is required to keep a register of civic gifts for audit purposes. These are gifts given to the Lord Mayor that are not personal gifts, but are instead intended for the city. These gifts are kept in the Lord Mayor's accommodation. Until recently the Guidelines for Civic Dignitaries also instructed Lord Mayors to record their personal gifts in this register. However, Standards Board guidance indicates that there are no special rules or exemptions for those who serve in special positions such as the Mayor or the Leader, and therefore the personal gifts and all hospitality received by the Lord Mayor should be recorded in the register kept for all Members of the Council. This anomaly has now been addressed.
- 3.4 A few personal gifts have been recorded by Lord Mayors in other years, but no incidents of hospitality. Unfortunately the rules surrounding declaration of hospitality were not included in the guidelines for the Lord Mayor, and so were not recorded in either register and so cannot be reviewed.
- 3.5 Once the gifts and hospitality recorded for the Lord Mayor in 2003-2004 are removed, the number of gifts is actually lower than previous and subsequent years (16 gifts in total). Apart from this one instance, the number of gifts and hospitality recorded in other years seems to be fairly consistent.

Position of Recipient

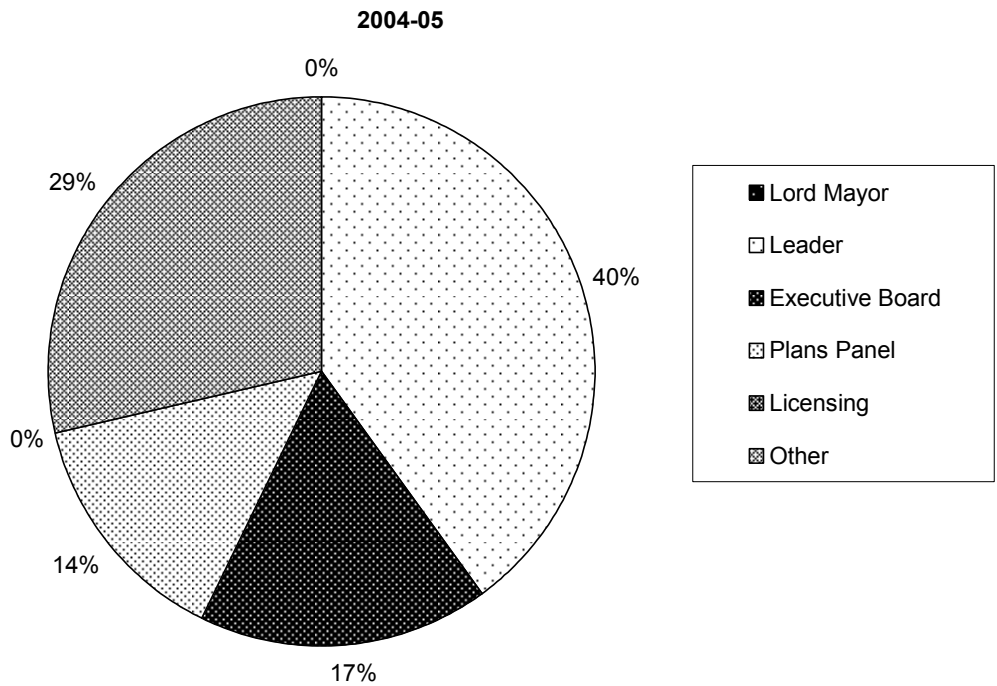
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3.7

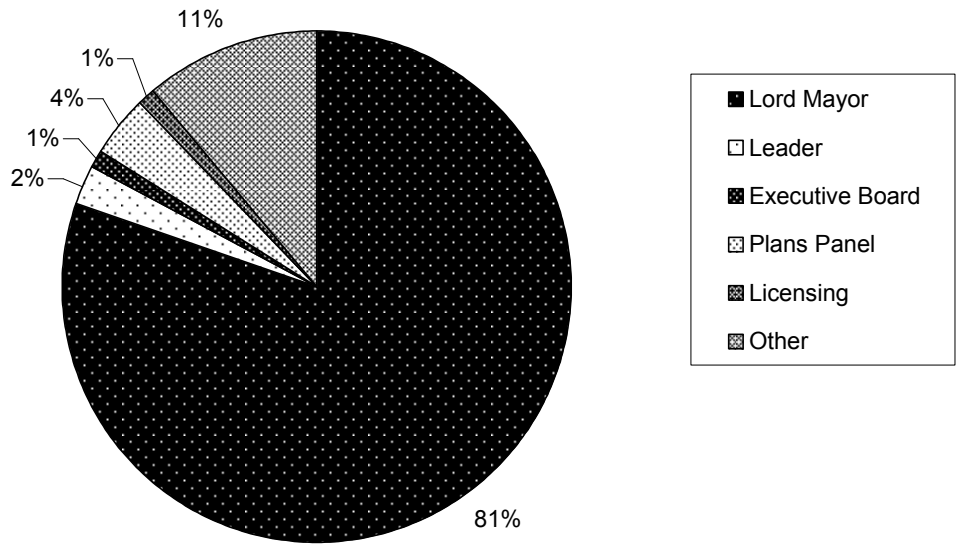


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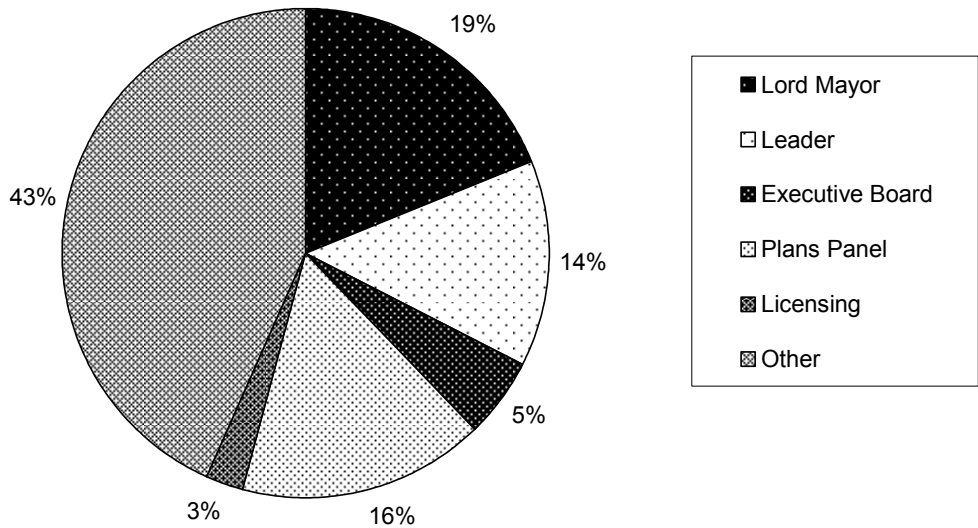
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2003-04



3.10

2002-03

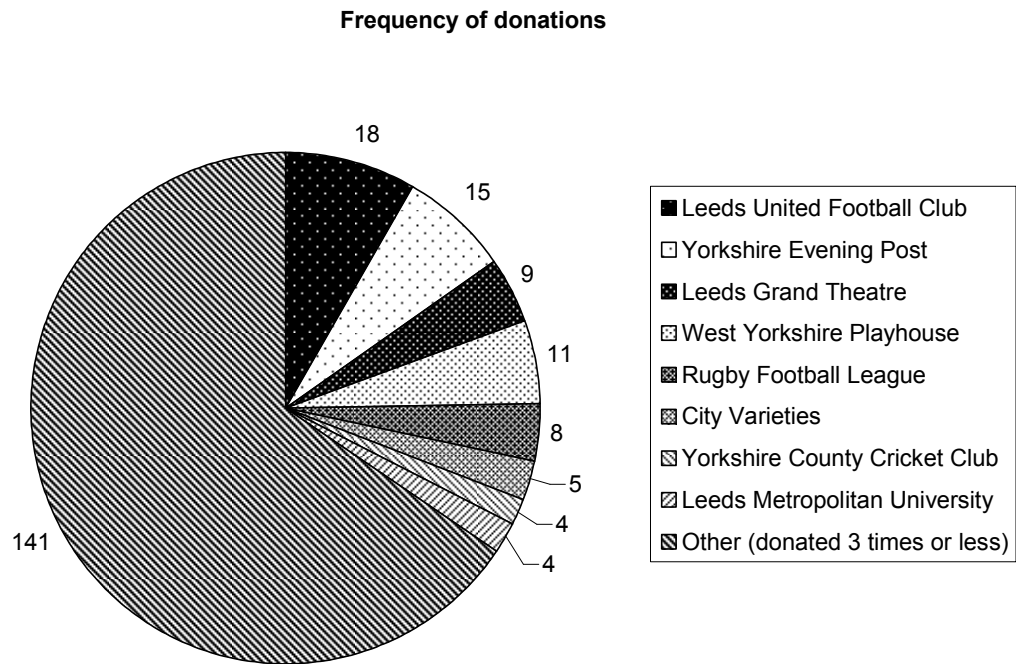


3.11 The charts above show the breakdown of the register each year by the position of the recipient.

3.12 The positions regularly identified are the Lord Mayor, the Leader and Executive Members. Members of planning and licensing were also reviewed as this is often considered a 'high risk' area in terms of gifts and hospitality for Members.

Frequency of Donations

3.13



3.14 The chart above shows the identity of the top eight providers of gifts and hospitality to Members.

3.15 Those who donated a total of three times or less during the five years are grouped together under 'other'. This includes some bodies such as the 'Leeds Tykes' but also individual constituents who have provided something as small as a bunch of flowers for their ward member.

3.16 Some of the bodies in the list have close ties with the Council, such as Leeds Grand Theatre and West Yorkshire Playhouse, as the Council has Members on their management boards. Therefore the provision of free tickets to shows at these theatres is fairly commonplace.

Value of gifts and compliance with Code of Conduct in 2006-07

3.17 In the municipal year 2006-2007, 36 gifts and hospitality were recorded by Members. These amounted to an estimated total of £2,361.60. This came to an average amount of £65.60 per gift.

3.18 There are only four donors who exceed the average of £65.60 per gift. These are Yorkshire County Cricket Club, GNER, West Yorkshire Passenger Transport Authority and The Rugby League. The most valuable gifts/hospitality overall were two tickets to England v Pakistan at Headingley Stadium worth £250. These were provided by Yorkshire County Cricket Club.

- 3.19 Six of the entries made in 2006/07 were made outside of the 28 day deadline in the Code of Conduct. In the two areas where gifts are most commonly received, arrangements have been put in place to support Members with making their declarations within the correct timescales.
- 3.20 There have been arrangements made with the Lord Mayor's Secretary and the Leaders' Office that any gifts or hospitality over the value of £25 received from May 2007 onwards will be forwarded to the Corporate Governance Officer every month in order to ensure that the deadline is met. In reality this will mean forwarding details of every civic engagement attended by the Lord Mayor each month.
- 3.21 The results of this review highlight the need for Members to be prompt when making these declarations, especially given the new public nature of these declarations.

4.0 Implications For Council Policy And Governance

- 4.1 Undertaking the described review of the Members' register of gifts and hospitality enables to the Council to have a better understanding of the nature of gifts and hospitalities received by Members and also the effectiveness of those procedures in place to ensure that the acceptance of any such offers by Members is open and transparent.
- 4.2 The Council has been able to strengthen its governance arrangements by implementing new procedures for the Lord Mayor and other senior Members to ensure gifts and hospitality are recorded promptly and in the appropriate manner.

5.0 Legal And Resource Implications

- 5.1 There are no legal or resource implications to this report.

6.0 Conclusions

- 6.1 In carrying out this review, the Council has been able to strengthen its governance arrangements by implementing new procedures for the Lord Mayor and other senior Members to ensure gifts and hospitality are recorded promptly and correctly.

7.0 Recommendations

- 7.1 Standards Committee is recommended to consider the information provided in this report.

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Originator: Kate Feltham

Tel: 0113 247 8408

Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Annual Report regarding the Protocol on Member Officer Relations for the 2006/2007 Municipal Year

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 contains the monitoring officers annual report to the Standards Committee in relation to the Protocol on Member Officer Relations.
2. In addition the report proposes some amendments to the Protocol and seeks the Committee's approval to a consultation process in respect of these amendments.

1.0 Purpose Of This Report

- 1.1 To provide an annual report to the Committee in relation to the monitoring requirements of the Protocol on Member/Officer Relations.
- 1.2 To advise the Committee of a number of proposed amendments to the Protocol on Member/Officer Relations, and to seek the Committees consent to a consultation process in relation to these amendments.

2.0 Background Information

- 2.1 Paragraph 25 of the Protocol on Member/Officer Relations requires that the Monitoring Officer reports annually to the Standards Committee regarding whether the arrangements set out in the Protocol have been complied with. The report is required to include any proposals for amendments in the light of any issues that have arisen during the year. The paragraph requires that the Monitoring Officer particularly monitors five matters. These are dealt with in turn in paragraph 3 of the report.

3.0 Main Issues

Complaints About Breaches Of The Protocol

- 3.1 There have been no formal complaints in relation to the behaviour of Members or officers under the Protocol on Member/Officer Relations. The Monitoring Officer has dealt with several matters in an informal way which proved successful. This involved reminding Members of the requirements of the Protocol. However, please note that any allegations regarding not treating officers with respect would be dealt with under the Members' Code of Conduct and referred to the Standards Board for England.

Induction Training

- 3.2 The Protocol is considered at the first Member Induction session entitled "Finding Your Feet – Services and Support for Members." The session deals with support arrangements and the protocols which underpin these arrangements. This assists the Members in understanding their role and relationship with officers.

The Protocol is also referred to during the training sessions on the New Code of Conduct which have been offered to all Members.

Awareness of the Protocol

- 3.3 The Ethical Audit carried out during the 2006/2007 municipal year established the level of awareness of the Protocol amongst Members and officers. Full details of the results of the Ethical Audit were reported back to members and an Action Plan containing specific measurable actions was drawn up to deal with any areas requiring action.

External Inspection Reports

- 3.4 There have been no external inspection reports in relation to the Protocol on Member/Officer Relations.

Changes to Legislation

- 3.5 There has been a new model Code of Conduct which affects some of the provisions of the Protocol. These proposed amendments have been incorporated into the amended draft of the Protocol at Appendix A to this report.
- 3.6 Once the Local Government (Public Involvement in Health) Bill 2007 comes into force and subsequent Regulations are made under this legislation there may be some amendments to the Protocol particularly paragraph 24 in relation to Breaches of the Protocol. It is proposed that any amendments required as a result of this legislative change will be made as consequential amendments by the Assistant Chief Executive (Corporate Governance).

Amendments to the Protocol

- 3.7 The Assistant Chief Executive (Corporate Governance) proposes a number of amendments to the Protocol of Officer/Member Relations. These amendments are intended to update the Protocol in light of issues that have arisen, changes to the Members and Code of Conduct and changes to the Council structure.
- 3.8 The amended draft of the Protocol on Member/Officer Relations is set out at Appendix A to this report.
- 3.9 The purpose of adding paragraph 2.16 is to draw Members attention to the requirement to follow the Contracts Procedure Rules when becoming involved in commercial transactions, and to advise members about the Members Guidance Note on Commercial Transactions. This proposed change results from an officer recommendation made following an issue arising during a commercial property transaction.
- 3.10 The Amendments to paragraph 4.11, 10.10 and 11.6 are made to reflect the additional wording in the new Members Code of Conduct
- 3.11 The Amendment to paragraph 6.9 is made as a result of the Council Change Programme.

Consultation

- 3.12 It will be necessary to consult with both officers and Members in relation to the proposed amendments to the Protocol.
- 3.13 During that consultation Members and Officers will also be asked to comment on the Protocol and whether any further amendments are required.
- 3.14 In accordance with the Committee's resolution of 25th November 2005 it is proposed that consultation with officers will take place through the following fora:-

- Corporate Governance Board

- HR Strategy Group
- Corporate Joint Consultative Committee

3.15 In addition to this the proposed amendments will be highlighted in the next edition of Governance Matters. The draft will be published as a downloadable document on the same intranet page.

3.16 Again in accordance with the resolution of Committee of 25th November 2005, consultation with Members will take place through the Group Whips, with support from Group Office Managers where this is requested by the Group Whips.

4.0 Implications For Council Policy And Governance

4.1 It is in the interests of good governance that the Council's Codes and Protocols are kept up to date with the changing and developing role of Members and Officers within the Council. Consultation on the amended Protocol will help to increase awareness in addition to ensuring that Members and officers have a sense of ownership of the Protocol.

5.0 Legal and Resource Implications

5.1 The link created between this Protocol and other Rules, Codes and Protocols, together with the reduction of duplication between them, will help to ensure that the Constitution remains legally up to date.

5.2 There are no resource implications to this report.

6.0 Conclusions

6.1 This annual report shows that the existing Protocol on Member/Officer relations is working well.

6.2 The proposed amendments to the Protocol for Member/Officer Relations contained in the report will assist by ensuring that the document remains up to date and therefore continues to work well in the organic environment of the Council.

7.0 Recommendations

7.1 Members are asked to:

- Note the contents of this report; and
- Note that a further report will be brought back to the Standards Committee containing the results of the consultation

A PROTOCOL FOR MEMBER/OFFICER RELATIONS

1.0 INTRODUCTION AND PRINCIPLES

- 1.1 The objectives of this Protocol are to guide Members¹ and officers of the Council² in their relations with one another in such a way as to ensure the smooth running of the Council and to foster good working relationships.³
- 1.2 The Council has adopted Codes of conduct for both officers and Members. The Protocol also seeks to reflect the principles underlying the respective Codes of Conduct which apply to Members and officers. The shared objective of these Codes is to enhance and maintain the integrity (real and perceived) of local government and the Codes, therefore, demand very high standards of personal conduct.
- 1.3 Members and officers must at all times observe this Protocol. This Protocol is a local extension of the Members' and Employees' Codes of Conduct. Consequently a breach of the provisions of this Protocol may also constitute a breach of those Codes.
- 1.4 This Protocol should be read in conjunction with the Members' and Employees' Codes of Conduct, the Council's Constitution and any guidance issued by the Standards Committee and/or Monitoring Officer.
- 1.5 This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed it should ensure that Members receive objective and impartial advice and that officers are protected from accusations of bias and any undue influence from Members.
- 1.6 Given the variety and complexity of relations between members and officers of the Council, this Protocol does not seek to be comprehensive. It is hoped, however, that the framework it provides will serve as a guide to dealing with a range of circumstances.
- 1.7 The provisions of the Protocol are to be interpreted in accordance and in conjunction with the general principles applying to the conduct of Members as set out by Order of the Secretary of State. These are the principles of selflessness, honesty and integrity, objectivity, accountability, openness, personal judgement, respect for others, duty to uphold the law, stewardship and leadership.

2.0 THE ROLE OF MEMBERS

- 2.1 Members have a number of roles and need to be alert to the potential for

¹ Unless the context indicates otherwise, the terms Member and Members include non-elected i.e. co-opted Members as well as elected councillors.

² Unless the context indicates otherwise, references to the term Council include the executive, overview and scrutiny committees, and other committees and sub-committees

³ A further protocol, entitled Protocol for Elected Member/Education Leeds Relations, makes similar provision with regard to the relationship between the officers of Education Leeds and Members of the Council.

Protocol on Member/Officer Relations

conflicts of interest which may arise between the roles. Where such conflicts are likely, Members may wish to seek the advice of senior colleagues, the relevant senior officer(s), and/or the Monitoring Officer.

- 2.2 At all times Members should be aware that the role they are performing may impact upon the nature of their relationship with officers and the expectations that officers may have of them.
- 2.3 Collectively, Members are the ultimate policy-makers determining the core values of the Council and approving the authority's policy framework, strategic plans and budget.
- 2.4 Members represent the community, act as community leaders and promote the social, economic and environmental well-being of the community often in partnership with other agencies.
- 2.5 Every Member represents the interests of, and is an advocate for, his/her ward and individual constituents. He/she represents the Council in the ward, responds to the concerns of constituents, meets with partner agencies, and often serves on local bodies.
- 2.6 Some Members have roles relating to their position as members of the Executive, Scrutiny Boards, Area Committees or other committees and sub-committees of the Council.
- 2.7 Members serving on Scrutiny Boards monitor the effectiveness of the Council's policies and services, develop policy proposals and examine community issues. They also monitor local health service provision.
- 2.8 Members serving on Area Committees work to promote and improve the economic, social and environmental well-being of the Committee's area and exercise Area Functions. In addition they advise the Council in relation to local community interests and proposals affecting the committee's area.
- 2.9 Members who serve on other committees and sub-committees collectively have delegated responsibilities, e.g. deciding quasi-judicial matters which by law are excluded from the remit of the Executive.
- 2.10 Some Members may be appointed to represent the Council on local, regional or national bodies.
- 2.11 As politicians, Members may express the values and aspirations of the party political groups to which they belong, recognising that in their role as Members they have a duty always to act in the public interest.
- 2.12 Members are not authorised to instruct officers other than:
 - through the formal decision-making process;
 - to request the provision of consumable resources provided by the Council for Members' use⁴.

⁴ See further paragraph 6.4
Part 5 (c)
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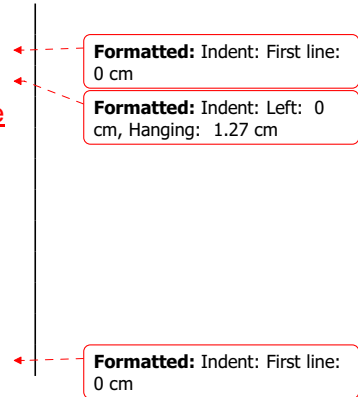
- 2.13 Members are not authorised to initiate or certify financial transactions, or to enter into a contract on behalf of the Council.
- 2.14 Members must avoid taking actions which are unlawful, financially improper or likely to amount to maladministration. Members have an obligation under their code of conduct to have regard, when reaching decisions, to any advice provided by the Monitoring Officer or the Chief Finance Officer.
- 2.15 Members must respect the impartiality of officers and do nothing to compromise it, e.g. by insisting that an officer change his/her professional advice.

2.16 Members may be involved in commercial transactions in a number of ways. Whatever their involvement they should be aware of the requirements set out in the Contracts Procedure Rules and the matters in the Guidance Note on Members involvement in commercial transactions. Generally an individual Member should not put themselves in a position where it might appear that they were committing the Council to a particular course of action. Members should not seek to become involved in commercial negotiations on the Council's behalf and should conduct themselves in such a manner that the transparency and accountability of negotiations and the Council's decision making process are not compromised.⁵

3.0 THE ROLE OF OFFICERS

- 3.1 Officers are responsible for giving advice to Members to enable them to fulfil their roles. In doing so, officers will take into account all available relevant factors.
- 3.2 Under the direction and control of the Council, officers manage and provide the Council's services within the framework of responsibilities delegated to them. This includes the effective management of employees and operational issues.
- 3.3 Officers have a duty to implement decisions of the Council which are lawful, and which have been properly approved in accordance with the requirements of the law and the Council's constitution, and duly minuted.
- 3.4 Officers have a contractual and legal duty to be impartial. They must not allow their professional judgement and advice to be influenced by their own personal views.
- 3.5 Officers must assist and advise all parts of the Council. They must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions.
- 3.6 Officers must be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.

⁵ See Briefing Note No. 6 "Guide for Elected Members Involvement in Commercial Transactions" for further guidance.



Protocol on Member/Officer Relations

- 3.7 Officers have the right not to support Members in any role other than that of Member, and not to engage in actions incompatible with this Protocol. In particular, there is a statutory limitation on officers' involvement in political activities.
- 3.8 Some officers may be appointed to local, regional or national bodies because of their particular skills and expertise. They may be appointed specifically to represent the Council or in their personal capacity.

4.0 THE RELATIONSHIP: GENERAL POINTS

- 4.1 Members are elected by, and officers are servants of the public and Members and officers are indispensable to one another. However, their responsibilities are distinct. Members are accountable to the electorate and serve only so long as their term of office lasts. Officers are accountable to the Council as a whole. Their job is to give advice to Members (individually and collectively) and to carry out the Council's work under the direction and control of the Council.
- 4.2 The conduct of Members and officers should be such as to instil mutual confidence and trust. The key elements are a recognition of and a respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately.
- 4.3 At the heart of the Codes, and this Protocol, is the importance of mutual respect. Member/Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position nor seek to exert undue influence on the other party. The use of more extreme forms of behaviour and emotion is rarely conducive to establishing mutual respect and is not a basis for constructive discussion.
- 4.4 Informal and collaborative two-way contact between Members and officers is encouraged. But personal familiarity can damage the relationship, as might a family or business connection. Inappropriate relationships can be inferred from language/behaviour. Close personal familiarity between individual Members and Officers can damage the relationship of mutual respect and prove embarrassing to other Members and Officers. To protect both Members and officers, officers should address Members as 'Councillor XX/Lord Mayor, save where circumstances clearly indicate that a level of informality is appropriate, e.g. a one to one meeting between a Director and their respective Executive Member.
- 4.5 Members and officers should inform the Monitoring Officer of any relationship which might be seen as unduly influencing their work in their respective roles.
- 4.6 It is not enough to avoid actual impropriety. Members and officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, a Member should not sit on a body or participate in any decision which directly affects the officer on a personal basis.

- 4.7 A Member should not raise matters openly or through the media relating to the conduct or capability of an officer in a manner that is incompatible with the objectives of this Protocol and particularly in relation to any pending or ongoing complaint or disciplinary process involving the officer. This is a long-standing tradition in public service. An Officer has no means of responding to such criticisms in public. Furthermore, open criticism may prejudice the bringing of disciplinary proceedings in circumstances where this might otherwise be appropriate.
- 4.8 A Member who feels s/he has not been treated with proper respect, courtesy or has any concern about the conduct or capability of an officer should:
- avoid personal attacks on, or abuse of, the officer at all times,
 - ensure that any criticism is well founded and constructive,
 - never make a criticism in public, and
 - take up the concern with the officer privately.
- 4.9 If direct discussion with the officer is inappropriate (e.g. because of the seriousness of the concern) or fails to resolve the matter, s/he should raise the matter with the respective Director. The Director will then look into the facts and report back to the Member. If the Member continues to feel concern, then s/he should raise the issue with the Chief Executive who will look into the matter afresh. Any action taken against an Officer in respect of a complaint will be in accordance with the provisions of the Council's Disciplinary Rules and Procedures.
- 4.10 Challenge in a constructive and non-confrontational way is important in ensuring policies and service performance are meeting the Council's strategic objectives, especially during the Scrutiny process. Nothing in paragraph 4.10 is therefore intended to stop Members holding officers to account for decisions made under delegated powers. Officers are accountable to the Council for any decision they make and may be required to report to and answer questions from a Scrutiny Board except in relation to Council functions. The Overview and Scrutiny Committee may also call-in Key and Major Decisions before they are implemented. Members may also individually request sight of delegated decision forms and raise queries about a decision with the decision-maker or an appropriate senior officer.
- 4.11 Where an officer feels that s/he has not been properly treated with respect and courtesy by a Member **or has been bullied by a Member**, s/he should raise the matter with his/her Director, Deputy Chief Executive or the Chief Executive as appropriate, especially if they do not feel able to discuss it directly with the Member concerned. In these circumstances the Director, Deputy Chief Executive or Chief Executive will after consultation with the complainant take appropriate action either by approaching the individual Member and/or group leader or by referring the matter to the Assistant Chief Executive (Corporate Governance) in the context of the Standards Committee/Board considering the complaint.

5.0 THE RELATIONSHIP: DECISION MAKING

- 5.1 The executive arrangements adopted by the Council in December 2001 provide for scheme of delegation. The details of this scheme are set out in Part 3 of the Constitution and in separate departmental sub delegation schemes.

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- 5.2 Both Members and officers have responsibility for decision making within the scheme of delegation for both Council⁶ and Executive⁷ functions.
- 5.3 Members and officers will comply with the advice and guidance set out in the Guidance Notes on Delegated Decision Making⁸ and the Protocol for the Respective Roles of Members and Officers in Decision Making⁹, in addition to any other relevant code or guidance, whilst involved in the decision making process.

6.0 THE RELATIONSHIP: OFFICER SUPPORT TO MEMBERS: GENERAL POINTS

- 6.1 Officers are responsible for day-to-day managerial and operational decisions within the Council and Members should avoid inappropriate involvement in such matters.
- 6.2 Officers will provide support to both the Executive and all Members in their respective roles.
- 6.3 The respective roles and responsibilities of Members and Officers in relation to employment issues are set out in the Officer Employment Procedure Rules.
- 6.4 If participating in the appointment of officers, Members should:
- remember that the sole criterion is merit¹⁰;
 - never canvass support for a particular candidate;
 - not take part where one of the candidates is a close friend or relative;
 - not be influenced by personal preferences; and
 - not favour a candidate by giving him/her information not available to the other candidates.
- 6.5 A Member should not sit on an appeal hearing if the appellant is a friend, a relative, or an officer with whom the Member has had a working relationship.
- 6.6 Certain statutory officers – the Chief Executive as Head of Paid Service, Assistant Chief Executive (Corporate Governance) as the Monitoring Officer and the Chief Finance Officer as the S151¹¹ officer – have specific roles. These are addressed in the Constitution. The roles need to be understood and respected by all Members.
- 6.7 The following key principles reflect the way in which the officer corps generally relates to Members:
- all officers are employed by, and accountable to the Council as a whole;
 - they have a duty to implement the properly authorised decisions of the Council;
 - support from officers is needed for all the Council's functions including Full Council, Scrutiny Boards, the Executive, Regulatory Panels, individual Members representing their communities etc;
 - day-to-day managerial and operational decisions remain the responsibility of the Chief Executive and other officers;

⁶ See part 3 Section 2 of the Constitution

⁷ See part 3 Section 3 of the Constitution

⁸ Part 3 Section 5 of the Constitution

⁹ Part 5 of the Constitution

¹⁰ (other than in the case of political assistants where political consideration may apply)

¹¹ S151 Local Government Act 1972

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- Officers will be provided with training and development to help them support the various Member roles effectively and to understand the structures.

6.8 On occasion, a decision may be reached which authorises named officers to take action following consultation with a Member or Members. The Member or Members may offer his/her views or advice to the officer who must take them into account. The Member or Members must not apply inappropriate pressure on the officer. The decision remains the responsibility of the officer him/herself. It must be recognised that it is the officer, rather than the Member or Members, who takes the action and it is the officer who is accountable for it.

6.9 Finally, it must be remembered that Officers within a Directorate are accountable to their Director and Deputy Chief Executive. That is, officers work to the instructions of their senior officers, not individual Members. It follows that, whilst such officers will always seek to assist a Member, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is purely to seek factual information, Members should normally direct their requests and concerns to a senior officer, at least in the first instance.

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6.10 Whilst officers should always seek to assist a Member, they must not, in so doing, go beyond the bounds of whatever authority they have been given by their Director. Where appropriate, officers should make a Member aware of the limits of the Officer's authority and explain that the matter would have to be referred to the Director.

6.11 Officers will do their best to give timely responses to Members' enquiries. Officers' work priorities are set and managed by senior managers. Members should avoid disrupting officers' work by imposing their own priorities.

6.12 Members will endeavour to give timely responses to enquiries from officers¹².

6.13 An officer shall not discuss with a Member personal matters concerning him/herself or another individual employee. This does not prevent an officer raising on a personal basis, and in his/her own time, a matter with his/her ward Member.

6.14 Members and officers should respect each other's free (i.e. non-Council) time.

7.0 THE RELATIONSHIP: OFFICER SUPPORT TO MEMBERS AND PARTY GROUPS

7.1 It must be recognised by all officers and Members that in discharging their duties and responsibilities, officers serve the Council as a whole and not any political group, combination of groups or any individual Member of the Council.

7.2 There is statutory recognition for party groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant council decision making body. Officers may properly be called upon to support and contribute to such deliberations by party groups but must at all times maintain political neutrality. All officers must,

¹² See further paragraph 14 in respect of correspondence.

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in their dealings with political groups and individual Members, treat them in a fair and even-handed manner.

- 7.3 The support provided by officers can take many forms. Whilst in practice such officer support is likely to be in most demand from whichever party group is for the time being in control of the Council, such support is available to all party groups.
- 7.4 Certain points must, however, be clearly understood by all those participating in this type of process, Members and officers alike. In particular:
- Officer support must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if officers are not present at meetings or parts of meetings, when matters of party business are to be discussed;
 - party group meetings, whilst they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not interpreted or acted upon as such;
 - the presence of an officer confers no formal status on such meetings in terms of Council business and must not be interpreted as doing so;
 - where Officers provide information and advice to a party group meeting in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the relevant Committee or Sub-Committee when the matter in question is considered.
- 7.5 Special care needs to be exercised whenever officers are requested to provide information and advice to a party group meeting which includes persons who are not Members of the Council. Such persons are not bound by the Members' Code of Conduct (in particular, the provisions concerning the declaration of interests and confidentiality) and for this and other reasons, officers may not be able to give the same level of advice as they would to a Members only meeting nor give advice to such meetings.
- 7.6 Officers have the right to refuse a request to attend a party group and will normally not attend a meeting of a party group where some of those attending are not Members of the Council.
- 7.7 The duration of an officer's attendance at a party group meeting will be at the discretion of the group, but an officer may leave at any time if he/she feels it is no longer appropriate to be there.
- 7.8 An officer accepting an invitation to the meeting of one party group shall not decline an invitation to advise another group about the same matter. He/she must give substantially the same advice to each.
- 7.9 An officer who is not a senior officer shall not be invited to attend a party group meeting, but a senior officer may nominate another officer to attend on his/her behalf.

- 7.10 An officer should be given the opportunity of verifying comments and advice attributed to him/her in any written record of a party group meeting.
- 7.11 No member will refer in public or at meetings of the Council to advice or information given by officers to a party group meeting.
- 7.12 Officers must respect the confidentiality of any party group discussions at which they are present in the sense that they should not relay the content of any such discussion to another party group or to any other Members. This shall not prevent an officer providing feedback to other senior officers on a need-to-know basis.
- 7.13 In relation to budget proposals:
- (a) the controlling political group shall be entitled to confidential discussions with officers regarding options and proposals. These will remain confidential until determined by the group or until published in advance of Committee/Council meetings, whichever is the earlier; and
 - (b) the opposition groups shall also be entitled to confidential discussions with officers to enable them to formulate alternative budget proposals. These will remain confidential until determined by the respective opposition groups or until published in advance of Committee/Council meetings, whichever is the earlier.
- 7.14 It must not be assumed by any party group or Member that any officer is supportive of any policy or strategy developed because of that Officer's assistance in the formulation of that policy or strategy.
- 7.15 Any particular cases of difficulty or uncertainty in this area of officer advice to party groups should be raised with the Chief Executive who will discuss them with the relevant group leader(s).

8.0 OFFICER SUPPORT TO COMMITTEES AND SUB-COMMITTEES

- 8.1 The appropriate senior officers will offer to arrange regular informal meetings with chairs of committees and sub-committees.
- 8.2 Senior officers (including the Monitoring Officer and the Chief Finance Officer) have the right to present reports and give advice to committees and sub-committees.
- 8.3 Members of a committee or sub-committee shall take decisions within the remit of that committee or sub-committee, and will not otherwise instruct officers to act.

9.0 OFFICER SUPPORT TO THE EXECUTIVE¹³

- 9.1 It is clearly important that there should be a close working relationship between Executive Members and the officers who support and/or interact with them.

¹³ References to the term *Executive* refers to the Leader and Cabinet

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However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the officer's ability to deal impartially with other Members and other party groups.

- 9.2 Whilst Executive Members will routinely be consulted as part of the process of drawing up proposals for consideration or the agenda for a forthcoming meeting, it must be recognised that in some situations an officer will be under a professional duty to submit a report. Similarly, a Director or other senior officer will always be fully responsible for the contents of any report submitted in his/her name. This means that any such report will be amended only where the amendment reflects the professional judgement of the author of the report. This is to be distinguished from a situation where there is a value judgement to be made. Any issues arising between an Executive Member and a Director in this area should be referred to the Chief Executive for resolution in conjunction with the Leader of the Council.
- 9.3 The Executive and its Members have wide ranging leadership roles. They will:
- lead the community planning process and the search for Best Value, with input and advice from Scrutiny Boards, area committees and any other persons as appropriate;
 - lead the preparation of the Council's policies and budget;
 - take in-year decisions on resources and priorities, together with other stakeholders and partners in the local community, to deliver and implement the budget and policies decided by the Full Council; and
 - be the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.
- 9.4 Executive members will take decisions in accordance with the Constitution and will not otherwise direct officers. Senior officers will be responsible for instructing officers to implement the Executive's decisions.
- 9.5 Officers will make arrangements for briefing Members of the Executive about business within their remit. Senior officers and Executive Members shall agree mutually convenient methods of regular contact.
- 9.6 Where functions which are the responsibility of the Executive are delegated to officers or other structures outside the Executive, the Executive will nevertheless remain accountable to the Council for the discharge of those functions. That is to say, the Executive will be held to account for both its decision to delegate a function and the way that the function is being carried out. The Overview and Scrutiny Committee may call in and review the decisions of the Executive Board and officers acting under delegated authorities and report the outcome of its review to Council, the Executive Board and Officers as appropriate.
- 9.7 If agreed as part of the executive arrangements, individual Members of the Executive may be allowed to formally take decisions. At present individual Members have not been given authority to take decisions. Where such delegation has been agreed, the Executive and Board Members must satisfy themselves that they are clear what exactly they can and cannot do¹⁴.

¹⁴ Where individual Members can formally take decisions, the Council will put in place mechanisms/protocols which ensure that (as with the Council, its Committees and Sub-Committees, and the Executive and its

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- 9.8 Officers work for and serve the Council as a whole. Nevertheless, as the majority of functions are the responsibility of the Executive, it is likely that in practice many officers will be working to the Executive for most of their time. The Executive must respect the political neutrality of the Officers. Officers must ensure that, even when they are predominantly providing advice and assistance to the Executive, their political neutrality is not compromised.
- 9.9 In organising support for the Executive, there is a potential for tension between Directors and Executive Members with portfolios. All Members and officers need to be constantly aware of the possibility of such tensions arising and both officers and Members need to work together to avoid such tensions and conflicts existing or being perceived.
- 9.10 The administrative and clerical support available to Executive and Lead Members is set out in paragraph 6 of the Protocol "Roles of Members and Officers in Decision Making".
- 10.0 THE RELATIONSHIP: OFFICER AND SCRUTINY BOARDS¹⁵**
- 10.1 Scrutiny Boards have both a Scrutiny role and a Policy Development and Review role.
- 10.2 In exercising the right to call-in a decision of the Executive, Members of the Overview and Scrutiny Committee must seek officer advice if they consider the decision is contrary to the Council's approved plans, policies or frameworks, or is unlawful.
- 10.3 Provisions relating to the attendance of officers at a Scrutiny Board are set out in the Scrutiny Board Procedure Rules,
- 10.4 Members should not normally expect junior officers to give evidence. All requests should be made to senior officers in the first instance.
- 10.5 When making requests for officer attendance, Scrutiny Board Members shall have regard to the workload of officers.
- 10.6 It is recognised that officers required to appear before a Scrutiny Board may often be those who have advised the Executive or another part of the Council on the

Committees) an individual Executive Member seeks advice from relevant Officers before taking a decision within her or his delegated authority. This includes taking legal advice, financial advice and professional Officer advice (particularly about contractual matters) as well as consulting the Monitoring Officer where there is doubt about vires.

Decisions taken by individual Members of the Executive will give rise to legal and financial obligations in the same way as decisions taken collectively. Therefore, Members of the Executive would always need to be aware of legal and financial liabilities (consulting the Monitoring Officer and Chief Financial Officer as appropriate) which will arise from their decisions. To ensure effective leadership for the Council and the communities it serves, there would be arrangements to ensure co-ordination of and sharing responsibility for Executive decisions including those made by individuals.

¹⁵ References to Scrutiny Boards also refer to the Overview and Scrutiny Committee and any Scrutiny Commissions appointed by that Committee. References to the Scrutiny Board Procedure Rules include reference to the Scrutiny Commission Procedure Rules.

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matter under investigation. Any requirement for external support will be dealt with in accordance with the Scrutiny Board Procedure Rules guidance notes.

- 10.7 Officers should be prepared to justify advice given to the Council, the Executive, or other committees and sub-committees even when the advice was not accepted.
- 10.8 In giving evidence, officers must not be asked to give political views.
- 10.9 Officers should respect Members in the way they respond to Members' questions.
- 10.10 Members should not question officers in a way which could be interpreted as Harassment or bullying.
- 10.11 Scrutiny proceedings must not be used to question the capability or competence of officers. Members need to make a distinction between reviewing the policies and performance of the Council and its services, and appraising the personal performance of officers.
- 10.12 Officers and Members should be aware of the following government guidance relating to Scrutiny Boards, and specifically their scrutiny role:
- Officers' evidence should so far as possible, be confined to questions of fact and explanation relating to policies and decisions.
 - Officers may explain: what the policies are; the justification and objectives of those policies as the Executive sees them; the extent to which those objectives may have been met and how administrative factors may have affected both the choice of policy measures and the manner of their implementation.
 - Officers may, and in many cases should, be asked to explain and justify advice they have given to Members of the Executive prior to a decision being taken and they should also be asked to explain and justify decisions they themselves have taken under delegations from the Executive.
 - As far as possible, officers should avoid being drawn into discussion of the merits of alternative policies where this is politically contentious. Any comment by officers on the Executive's policies and actions should always be consistent with the requirement for officers to be politically impartial.
- 10.13 In connection with the Scrutiny Boards Policy Development and Review role, Officers may reasonably be expected to advise on the effects which would arise out of the adoption of alternative policy options. Any advice on the development of policies should be consistent with the requirement for officers to be politically impartial.
- 10.14 It is not a Scrutiny Board's role to act as a disciplinary tribunal in relation to the actions of Members or Officers. Neither is it the role of officers to become involved in what would amount to disciplinary investigations on behalf of a Scrutiny Board. This is the Chief Executive's function alone in relation to officers and the Monitoring

Officer's and the Standards Committee's functions as regards the conduct of Members.

- 10.15 Scrutiny Board's questioning should be directed towards establishing the facts about what occurred in the making of decisions or implementing Council policies, and not towards the allocation of criticism or blame. A Scrutiny Board may recommend (but not require) the Chief Executive to institute a formal enquiry for this purpose.
- 10.16 The Scrutiny Board Procedure Rules set out general principles relating to all Scrutiny Board witnesses, including notification requirements. If questioning should stray substantially outside the matters that the Board had previously indicated, the Chair should consider whether an adjournment may need to be considered to enable officers to provide the required information. Questioning should not stray outside any Terms of Reference agreed for an Inquiry.
- 10.17 The Scrutiny Board Procedure Rules enable Scrutiny Boards to appoint Working Groups. There is a separate guidance note which provides guidance to Members and Officers with regard to the activities of Scrutiny Board Working Groups.
- 10.18 In relation to complaints brought by an individual (Members, officers, or members of the public) about decisions affecting them individually, a Scrutiny Board must not act as an alternative to normal appeals procedures, whether internal, such as the Corporate Complaints procedure, or external, such as the Local Government Ombudsman, or an appeal to a Court. A Scrutiny Board should not normally pass judgements on the merits of such a decision.
- 10.19 In respect of officer support to Scrutiny Boards, Scrutiny Board Chairs are provided with dedicated administrative and clerical support to assist them in carrying out their duties. In addition, to assist Scrutiny Boards in undertaking comprehensive independent inquiries, the Scrutiny Support Unit provides the Scrutiny Boards with professional and administrative help. The Council's Directors remain responsible for providing specialised professional advice and should advise Scrutiny Board of reasons where they would not wish to provide such services.

11.0 THE RELATIONSHIP, OFFICER SUPPORT TO AREA COMMITTEES

- 11.1 Area Committees have both Executive and Council functions¹⁶. These are set out in the Terms of Reference for Area Committees.
- 11.2 The Area Committee Procedure Rules set out how meetings of of Area Committees should be conducted.
- 11.3 Area Committees must make decisions following consideration of a report from the relevant Director or his nominee. The Area Committee is entitled to request a report in relation to any matter within their terms of reference that the Area Committee wish to consider. Such requests should always be made to the relevant Director who may nominate another officer to provide the report if appropriate.

¹⁶ The Executive functions are well being functions and other Area functions which are determined by the Executive Board.

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- 11.4 Officers who present reports to Area Committees may copy the report to such of the other Area Committees as he thinks fit if he is of the view that the report would be relevant to those Committees.
- 11.5 Area Committees may request that report authors attend meetings. When doing so they should have regard to the workload of the officer in question.
- 11.6 All questions addressed to officers attending Area Committees shall be addressed through the Chair of the Committee. Officers should not be questioned in such a way as could be interpreted as harassment or bullying. Neither should questions be asked which seek to address the capability or competence of officers.
- 11.7 The Area Committee Procedure Rules provide for an Open Forum¹⁷ for members of the public to make representations or ask questions on matters within the terms of reference of the Area Committee. The Chair of the Committee shall ensure that officers are only asked questions which pertain to their report.
- 11.8 Officers should respect Members in the way they respond to Members questions. If unable to provide a direct response to a question at an Area Committee meeting the officer shall respond in writing to the Committee Chair as soon as he is able.
- 11.9 Where advisory or consultative forums are established by the Area Committee Members and officers shall apply this guidance equally to their involvement in those groups.
- 11.10 From time to time additional meetings are convened by Members in respect of local matters. Whilst these meetings are not always meetings of the Area Committee officers will provide appropriate support to these meetings. Members should therefore ensure that appropriate notice is given of all such meetings.
- 11.11 When convening meetings in relation to local matters care should be taken to distinguish between party group meetings and area meetings.

12.0 THE RELATIONSHIP, OFFICER SUPPORT TO REGULATORY PANELS¹⁸

- 12.1 At the request of a Chair of a Regulatory Panel, a briefing shall be arranged prior to a meeting of the Panel.
- 12.2 The Chief Executive is responsible for determining the agenda for a formally convened meeting of a Regulatory Panel, in consultation with the Chair of the Panel.
- 12.3 Members and officers need to be aware of additional Codes and Protocols which may refer to their specific area, such as the Code of Practice for Councillors responsible for determining Planning applications.

13.0 MAYOR AND OFFICERS

¹⁷ See rules 6.24 and 6.25

¹⁸ For the purposes of this Protocol only, any reference to "Regulatory Panels" includes a reference to the Licensing Committee and its sub-committees

- 13.1 Officers will respect the position of Mayor and provide appropriate support.
- 13.2 Detailed guidance for the Lord Mayor, Deputy Lord Mayor and support staff is contained within the Guidelines for Civic Dignitaries¹⁹.

14.0 MEMBERS AND OFFICERS ON OUTSIDE BODIES

- 14.1 Members and officers serving on outside bodies will treat one another professionally and with respect.
- 14.2 Members and officers should be aware of their role on any outside body to which they are appointed. In particular they should be aware of whether they are appointed:-
- As a representative of the Council
 - As a ward Member, representing the local community
 - As a group Member, or
 - In their individual capacity
- 14.3 Where Members and officers are appointed to an outside body as a representative of the Council they should ensure that they are aware of the Council's position in relation to matters within the body's remit.
- 14.3.1 The appointee should seek to abide by the Council's position in relation to that matter unless their duties and responsibilities to the outside body prevent this.²⁰
- 14.3.2 Should a Member and an officer both be appointed to the same body as the Council's representatives they should seek to agree their understanding of the Council's position prior to any meeting of the body.
- 14.4 If a Member or officer is appointed to an outside body in a capacity other than as the Council's representative they are not obliged to abide by the Council's position in respect of any matter. They should however seek to ensure that any view that they express or action they take can not be perceived as bringing the Council into disrepute.
- 14.4.1 If a Member and an officer have a disagreement in relation to a matter within the remit of that body, arising out of their respective roles on the body, they will treat that disagreement in a professional manner. In particular both the Member and the Officer will take steps to ensure that the disagreement does not affect the nature of their relationship within their respective roles as Member and officer of the Council.
- 14.5 The Outside Bodies Procedure Rules²¹ make provision for support to Members appointed to external organisations.

¹⁹ Copies of the Guidelines for Civic Dignitaries may be obtained from the Chief Democratic Services Officer or from the Lord Mayor's secretary.

²⁰ For example, where the appointment is as a Director or Trustee of the outside body. Briefing notes entitled "Guide for Elected Members and Officer on the responsibilities and duties of directors nominated by the Council" and "Guide for Elected Members and Officer on the responsibilities and duties of trustees nominated by the Council" are available on the Legal and Democratic Services pages of the Council's intranet.

²¹ See Part 4 of the Constitution

15.0 SUPPORT SERVICES TO MEMBERS AND PARTY GROUPS

- 15.1 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photocopying, transport etc) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity or for private purposes.
- 15.2 Detailed guidance regarding the provision of support to Members by support staff in Democratic Services is contained within the Guidelines for Democratic Services Support to Members²².

16.0 MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

- 16.1 Members have the ability to ask for information pursuant to their legal rights to information. Further details of these rights are set out in the Access to Information Procedure Rules.

17.0 CORRESPONDENCE

- 17.1 Correspondence²³ between an individual Member and an Officer should not normally be copied (by the officer) to any other Member. Where exceptionally it is necessary for an officer to copy the correspondence to another Member, the original Member will be advised before any such correspondence is copied. In other words, a system of 'silent copies' should not be employed. However, it may be appropriate in certain circumstances for Members to copy correspondence to an officer, for example to Ward colleagues.
- 17.2 Paragraph 17.1 above should not be taken to prevent the copying of correspondence where necessary as part of the background information when briefing an Executive or Lead Member in relation to the history of any matter. In addition it should be noted that the Council may have to release copies of correspondence in accordance with Freedom of Information Legislation²⁴.
- 17.3 Official letters on behalf of the Council (as distinct from letters in response to constituent's queries) should normally be sent in the name of the appropriate officer, rather than the name of a Member. It may be appropriate in certain limited circumstances (e.g., representations to a Government Minister) for a letter to appear in the name of an Executive Member or the Leader, but this should be the exception rather than the norm.
- 17.4 Letters which create legally enforceable obligations or which give Instructions on behalf of the Council should never be sent in the name of a Member.

²² Copies of the Guidelines For Democratic Services Support To Members may be obtained from the Chief Democratic Services Officer or from Group Support Managers.

²³ "Correspondence" in this context means letters, memoranda, reports, advice, briefing notes or any other documentation prepared specifically by an officer for a Member

²⁴ For details please see Access to Information Procedure Rules

- 17.5 When writing in an individual capacity as a ward Member, a Member must make clear that fact.
- 17.6 Officers should respond to Members' correspondence in accordance with the Protocol for responding to Member correspondence²⁵.
- 17.7 When entering into correspondence with one another both Members and officers should ensure that they maintain their recognition of and respect for each other's roles and responsibilities. As with other areas of their relationship Members and officers should conduct correspondence in a positive and constructive way and observe the same level of courtesy and respect.

18.0 PUBLICITY AND PRESS RELEASES

- 18.1 Local authorities are accountable to their electorate. Accountability requires local understanding. This will be promoted by the Council, explaining its objectives and policies to the electors, and non-domestic rate-payers. In recent years, all local authorities have increasingly used publicity to keep the public informed to encourage public participation. Every Council needs to tell the public about the services it provides. Increasingly, local authorities see this task as an essential part of providing services. Good, effective publicity aimed to improve public awareness of a Council's activities is, in the words of the Government, to be welcomed. The Local Government Act 1986 prohibits political publicity – this is defined as any material which, in whole or in part, appears to be designed to affect public support for a political party. This prohibition also extends to regulated companies such as Education Leeds and the ALMOs.
- 18.2 Publicity is, however, a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that the Council's decisions on publicity are properly made in accordance with clear principles of good practice. The Government has issued a Code of Recommended Practice on Local Authority Publicity. The purpose of the Code is to set out such principles. The Code affects the conventions that should apply to all publicity at public expense and which traditionally have applied in both central and local government. The Code is issued under the provisions of the Local Government Act 1986 as amended by the Local Government Act 1988 which provides for the Secretary of State to issue Codes of Recommended Practice as regards the content, style, distribution and cost of local authority publicity, and such other matters as s/he thinks appropriate. That section requires that all local authorities shall have regard to the provisions of any such Code in coming to any decision on publicity, and such other matters as s/he thinks appropriate. The main principles of the Code are:
- That publicity relating to individual Members should relate to their role as a holder of a particular position and personalisation of issues or personal image making should be avoided.

²⁵ Implemented in accordance with a resolution of the Executive Board taken on 13th November 2002 – minute number 146.

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- Publicity should be factual and designed to raise public awareness and its primary purpose must not be to persuade members of the public to hold a particular view on a matter of policy.
- Particular care should be taken when publicity is issued immediately before an election or by-election to ensure that this could not be perceived as seeking to influence public opinion, or to promote the image of a particular candidate, or group of candidates. The Code provides 'between the time of publication of a notice of an election and polling day, publicity should not be issued which deals with controversial issues, or which reports views or policies in a way that identifies them with individual members or groups of members'.

The Code also applies to other bodies funded by the Council, where that funding could be used for publicity, for example Education Leeds and the ALMOs.

- 18.3 Officers and Members of the Council will, therefore, in making decisions on publicity, take account of the provisions of this Code. If in doubt, Officers and/or Members should initially seek advice from the Assistant Chief Executive (Corporate Governance). Particular care should be paid to any publicity used by the Council around the time of an election. Particular advice will be given on this by the Assistant Chief Executive (Corporate Governance) as appropriate.
- 18.4 Contact with the media, including issuing press releases, should be carried out in accordance with any relevant protocols (for example those adopted by the Standards Committee/Executive Board).
- 18.5 Press releases or statements made by officers must promote or give information on Council policy or services. They will be factual and consistent with Council policy. They cannot be used to promote a party group.
- 18.6 Officers will keep relevant Members informed of media interest in the Council's activities, especially regarding strategic or contentious matters. Before responding to enquiries from the media, officers shall ensure they are authorised to do so.
- 18.7 Likewise, officers will inform the Council's Corporate Communications Team of issues likely to be of media interest, since that unit is often the media's first point of contact.
- 18.8 If a Member is contacted by, or contacts, the media on an issue, he/she should:
- indicate in what capacity he/she is speaking (e.g. as ward Member, in a personal capacity, as an Executive Member, on behalf of the Council, or on behalf of a party group);
 - be sure of what he/she wants to say or not to say;
 - if necessary, and always when he/she would like a press release to be issued, seek assistance from the Council's Communications Team and/or relevant senior officer, except in relation to a statement which is party political in nature²⁶;
 - consider the likely consequences for the Council of his/her statement (e.g. commitment to a particular course of action, image,

²⁶ Any press releases issued regarding a Groups views which are issued through Group Offices must be issued in accordance with the Guidelines for Democratic Services Support to Members.

allegations of jumping to conclusions);

- never give a commitment in relation to matters which may be subject to claims from third parties and/or are likely to be an insurance matter;
- consider whether to consult other relevant Members; and
- take particular care in what he/she says in the run-up to local or national elections to avoid giving the impression of electioneering, unless he/she has been contacted as an election candidate or political party activist. Council resources must never be used to affect public support for a political party.

19 INVOLVEMENT OF WARD COUNCILLORS

- 19.1 Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the Ward or Wards affected should as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Members should be notified at the outset of the exercise. More generally, officers should consider whether other policy or briefing papers, or other topics being discussed with an Executive Member, should be referred to the relevant Area Committee for consideration. Officers should seek the views of the appropriate Executive Member(s) as to with whom and when this might be done.
- 19.2 Whilst support for Members' ward work is legitimate, care should be taken if officers are asked to accompany Members to ward surgeries. In such circumstances:
- the surgeries must be open to the general public, and
 - officers should not be requested to accompany members to surgeries held in the offices or premises of political parties.
- 19.3 Officers must never be asked to attend ward or constituency political party meetings.
- 19.4 It is acknowledged that some officers (e.g. those providing dedicated support to Executive members) may receive and handle messages for Members on topics unrelated to the Council. Whilst these will often concern diary management, care should be taken to avoid Council resources being used for private or party political purposes.
- 19.5 In seeking to deal with constituents' queries or concerns, Members should not seek to jump the queue but should respect the Council's procedures. Officers have many pressures on their time. They may not be able to carry out the work required by Members in the requested time-scale, and may need to seek instructions from their managers.

20.0 ACCESS TO PREMISES

- 20.1 Officers have the right to enter Council land and premises to carry out their work. Some officers have the legal power to enter property in the ownership of others.
- 20.2 Members have a right of access to Council land and premises to fulfil their

- 20.3 When making visits as individual Members, Members should:
- whenever practicable, notify and make advance arrangements with the appropriate manager or officer in charge;
 - comply with health and safety, security and other workplace rules;
 - not interfere with the services or activities being provided at the time of the visit;
 - if outside his/her own ward, notify the ward Members beforehand; and
 - take special care at schools and establishments serving vulnerable sections of society to avoid giving any impression of improper or inappropriate behaviour.

21.0 USE OF COUNCIL RESOURCES

- 21.1 The Council provides all Members with services such as typing, printing and photocopying, and goods such as stationery and computer equipment, to assist them in discharging their roles as Members of the Council. These goods and services are paid for from the public purse. They should not be used for private purposes or in connection with party political or campaigning activities.
- 21.2 Members should ensure they understand and comply with the Council's own rules about the use of such resources, particularly:
- where facilities are provided in Members' homes at the Council's expense;
 - In relation to any locally-agreed arrangements e.g. payment for private use or photocopying; and
 - regarding ICT security.
- 21.3 Detailed guidance regarding the use by Members of ICT equipment is contained within the Guidelines for Members using ICT Equipment²⁷.
- 21.4 Members should not put pressure on staff to provide resources or support which officers are not permitted to give. Examples are:
- business which is solely to do with a political party;
 - work in connection with a ward or constituency party political meeting; electioneering;
 - work associated with an event attended by a Member in a capacity other than as a Member of the Council;
 - private personal correspondence;
 - work in connection with another body or organisation where a Member's involvement is other than as a Member of the Council; and
 - support to a Member in his/her capacity as a councillor of another local authority.

22.0 CO-OPTED MEMBERS

²⁷ Copies of the Guidelines for Members Using ICT Equipment may be obtained from the Chief Democratic Services Officer or Group Support Managers.

- 22.1 Officers should provide the same level of support to Co-opted Members of a Scrutiny Board or Committee, as they provide to other (elected) Members, for example by providing them with the same papers, briefings and training opportunities. Officers and elected Members should afford Co-opted Members the same level of respect and opportunity to contribute (so far as their role permits them to do so), as to any other Member of the Board or Committee.

23.0 CONCLUSION

- 23.1 Mutual understanding, openness on these sorts of sensitive issues and basic respect are the greatest safeguard of the integrity of the Council, its Members and officers.

24.0 BREACHES OF THE PROTOCOL

- 24.1 Allegations of breaches of this Protocol by Members may be referred to Monitoring Officer for referral to the Standards Committee, the relevant Leader and/or Chief Whip of the political group. However, in certain circumstances a breach of this protocol might constitute a breach of the Members' Code of Conduct, in which case a written complaint would be referred to the Standards Board for England.
- 24.2 Allegations of breaches by officers are to be referred to the employee's Director for consideration of appropriate action including disciplinary investigation under the Council's Disciplinary Rules.

25.0 MONITORING

The Assistant Chief Executive (Corporate Governance) will report annually to the Standards Committee regarding whether the arrangements set out in the Protocol have been complied with and will include any proposals for amendments in the light of any issues that have arisen during the year. In particular the Assistant Chief Executive (Corporate Governance) will monitor the following:

- (a) the number of complaints made about breaches of the Protocol and the outcomes of those complaints.
- (b) whether the Protocol has been considered as part of Member/Officer induction training.
- (c) the level of awareness of the Protocol among Members and Officers, to be established by means of an ethical audit.
- (d) external inspection reports in respect of any relevant issues arising.
- (e) changes to legislation which may affect the provisions of the Protocol.

26.0 IMPLEMENTATION AND INTERPRETATION

- 26.1 This Protocol was drafted by the Assistant Chief Executive (Corporate Governance), and adopted by the Standards Committee as part of the Constitution on 20 February 2003.

Protocol on Member/Officer Relations

- 26.2 The Protocol will be made available, as part of the Council's Constitution, on the Council's internet and intranet sites. Members will be advised that these documents are available²⁸.
- 26.3 Questions of interpretation of this Protocol will be determined by the Assistant Chief Executive (Corporate Governance).

²⁸ See Articles 2 and 16 of the Constitution.
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Issue 1 – May 2007



Originator: Amy Kelly

Tel: 0113 39 50261

Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Training on the Members' Code of Conduct 2007

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to advise Members of the Committee of what training has taken place for Leeds City Councillors, voting co-opted members, and Parish and Town Councillors in Leeds, following the adoption of the new Code of Conduct.
2. It is a requirement of the Use of Resources section of the Comprehensive Performance Assessment that:
 - a. the council is proactive in raising the standards of ethical conduct among members and staff, including the provision of ethics training¹; and
 - b. the council can demonstrate that its members and staff exhibit high standards of personal conduct.²
3. Therefore ensuring that all Members are properly trained in the provisions of the new Code of Conduct will assist the Council in achieving these aims.
4. Members of the Committee are asked to:
 - note the contents of this report and the information in Appendix 1; and
 - make any comments or suggestions regarding further training for Leeds City Councillors and Parish Councillors.

¹ This is a level 2 requirement.

² This is a level 3 requirement.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to advise Members of the Committee of what training has taken place for Leeds City Councillors, voting co-opted members, and Parish and Town Councillors in Leeds, following the adoption of the new Code of Conduct.

2.0 Background Information

- 2.1 It is part of the Standards Committee's responsibilities to review and make arrangements for training in matters relating to the Code of Conduct and local codes and protocols. This report therefore provides information about the training that has been carried out for Members on the new Code of Conduct.
- 2.2 In May 2007, the Standards Committee met to recommend that Leeds City Council adopt the Members' Code of Conduct 2007 at their Annual Meeting. In their recommendation, the Standards Committee also joined with the Assistant Chief Executive (Corporate Governance) in urging Leeds City Councillors to attend the training offered in relation to the new Code and to complete their register of interests within the 28 days permitted from adoption of the new Code³.

3.0 Main Issues

Training as part of the induction period

- 3.1 All newly elected and existing Members were invited to take part in a series of training courses during the induction period. This programme was heavily advertised both prior to the election as well as by individual invite to the new Members, once they were known. The programme also appears on the Member Development intranet site and all existing Members were sent the induction programme leaflet as part of one of their usual weekend packages of papers.
- 3.2 All newly elected Members took part in the induction programme to varying degrees. Initial feedback suggested that some new Members were not certain that they would be elected and, therefore, had not booked time off work to enable them to attend induction events, or had other commitments. In these cases, a number of one to one sessions were arranged to cover the key aspects of induction, for example the Code of Conduct. The Code of Conduct training provided during the induction period to newly elected Members was provided on the provisions of the new Code in anticipation of the Code being adopted by the Council at the Annual Meeting.
- 3.3 As in previous years, a questionnaire was sent out to Members who participated in the induction period to seek their views on how the events could be improved for the next programme. The results of this questionnaire will be reported at the meeting.

Training for Leeds City Councillors

- 3.4 A series of six training sessions on the new Code of Conduct took place during June and July 2007. All Members and Co-opted Members of the Council were encouraged to attend one of these events. The total number of Members who attended these events was 44.

³ Minute 110 1st May 2007.

- 3.5 All Members have also been offered the guidance booklet and pocket guide from the Standards Board on the new Code of Conduct, and have been informed of the changes to the Code through a 'Spotlight on' in Governance Matters. A new e-learning module on the provisions of the new Code is also currently being drafted.
- 3.6 The remaining 55 Members who have not attended a full update session have been contacted by the Monitoring Officer and their Group Whip and strongly advised to attend one of the two follow-up sessions which were scheduled for September and October. The Monitoring Officer reminded Members that in any complaint to the Standards Board for England about the Code, she would be asked to confirm whether the Member had received training on the Code. In addition, Group Managers and Whips were given the opportunity to arrange for a short briefing to take place before or after their next Group meeting.
- 3.7 So far the following training has been organised:
- one briefing session for the Conservative Group;
 - briefings for the Leader and Deputy Leader;
 - two briefing sessions at the Labour and Liberal Democrat Group meetings
 - a briefing before the next Full Council meeting; and
 - two lunchtime seminars.
- The number of Members remaining who require training will be reported at the meeting.

Training for Parish and Town Councils

- 3.8 In order to assist Parish and Town Councils with preparing for the new Code of Conduct two training sessions for Clerks only were provided on 15th and 23rd May. Twelve Clerks attended these sessions which provided practical advice on how to implement the new Code as well as guidance on its provisions. Clerks were also invited to attend the training session for Parish Councillors, and as a result 19 clerks from 21 Parish Councils have now received training.
- 3.9 In order to train Parish and Town Councillors a series of localised sessions took place in June and July 2007. All Parishes were invited to these sessions. These were held in Pool-in-Wharfedale, Morley, Wetherby, Shadwell and Kippax. The total number of Parish and Town Councillors who attended these sessions was around 75. In addition, one further local session was carried out in Otley in September 2007 where a further 5 Councillors received training.
- 3.10 Those Members who were unable to attend these sessions for whatever reason were invited to attend one of the mop-up sessions arranged to take place in Civic Hall in September 2007. One of these took place in the early afternoon and the other in the early evening. This was in response from some Parish Councillors that training in the late evening, and training during August, was inconvenient. A further 12 Parish Councillors received training at one of these sessions.
- 3.11 The table at Appendix 1 shows how many Councillors from each Parish have been trained and on which dates. The table shows that there are approximately 223 Parish Councillors remaining who require training. This is based on the total number of Parish Councillors in Leeds being 321, and the fact that there are no casual vacancies at the moment. Members may wish to note that there are 13 Parish Councils who have not received any training on the new Code of the Conduct, and

that the new Code of Conduct has now been imposed on all Parish Councils from the 1st October 2007, whether they chose to adopt it before this date or not.

Training for Leeds City Council officers

- 3.12 Training sessions have taken place for officers who are responsible for advising Members on the Code of Conduct, mainly from Governance Services and Legal Services. Two training sessions have been held for these officers and all Governance Services staff have now been trained in the provisions of the new Code of Conduct.

Further training planned

- 3.13 The Monitoring Officer and the Group Whips will continue to encourage Members to attend a briefing session on the provisions of the new Code. If this proves impossible, Members will be sent training packs to read through and then sign and return a form to confirm they have received the materials.
- 3.14 This will also be supplemented by the new e-learning module on the Code of Conduct 2007, and the Standards Board for England DVD "The Code Uncovered".
- 3.15 Further training sessions for Parish and Town Councils will be conducted on request. All Parish and Town Councils have been advised that they are welcome to request a training session from us should they need one.
- 3.16 Once the e-learning module for Leeds City Councillors has been completed, it is also planned to create a shorter, more generic version for Parish and Town Councils. It is anticipated that this will be released by the end of the year.

4.0 Implications For Council Policy And Governance

- 4.1 It is a requirement of the Use of Resources section of the Comprehensive Performance Assessment that:
- the council is proactive in raising the standards of ethical conduct among members and staff, including the provision of ethics training⁴; and
 - the council can demonstrate that its members and staff exhibit high standards of personal conduct.⁵

Therefore ensuring that all Members are properly trained in the provisions of the new Code of Conduct will assist the Council in achieving these aims.

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to this report.
- 5.2 There are resource implications to the training plans referred to in this report, and to any additional training suggested by the Committee. The further training referred to in this report can be provided through current resources.

⁴ This is a level 2 requirement.

⁵ This is a level 3 requirement.

6.0 Conclusions

- 6.1 The training provided so far to Leeds City Councillors, Parish and Town Councils, and officers has been relatively successful. The number of Leeds City Councillors remaining who still require training will be reported at the meeting.
- 6.2 There are also plans to offer training to Members in other formats, such as written briefings and e-learning, as well as to conduct further training sessions for Parish and Town Councils on request.

7.0 Recommendations

- 7.1 Members of the Committee are asked to:
- note the contents of this report and the information in Appendix 1; and
 - make any comments or suggestions regarding further training for Leeds City Councillors and Parish Councillors.

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Training delivered to Parish/Town Councils on the new Code of Conduct

Parish/Town Council	Number of Councillors attending	Date training delivered	Total number of Councillors
Aberford and District	0	-	11
Allerton Bywater	0	-	10
Arthington	1	21 st June 2007	5
Bardsey cum Rigton	6	26 th June 2007	9
Barwick-in-Elmet and Scholes	9	26 th June 2007, 26 th September 2007	12
Boston Spa	0	-	10
Bramham cum Oglethorpe	3	21 st June 2007	9
Bramhope and Carlton	0	-	13
Clifford	3	24 th September 2007	9
Collingham with Linton	0	-	10
Drighlington	0	-	12
East Keswick	4	21 st June 2007, 26 th June 2007	7
Gildersome	8	20 th June 2007, 24 th and 26 th September 2007	13
Great and Little Preston	0	-	9
Harewood	0	-	9
Horsforth	5	13 th June 2007, 26 th June 2007	22
Kippax	8	4 th July 2007	16
Ledsham	0	-	7
Ledston with Ledston Luck	1	4 th July 2007	5
Micklefield	0	-	9
Morley	10	20 th June 2007	24

Otley	12	13 th June 2007, 20 th June 2007, 21 st June 2007, 19 th September 2007, 24 th September 2007	20
Pool-in-Wharfedale	7	13 th June 2007	9
Scarcroft	0	-	7
Shadwell	5	26 th June 2007	9
Swillington	0	-	9
Thorner	3	26 th June 2007, 24 th September 2007	9
Thorp Arch	1	21 st June 2007	5
Walton	0	-	7
Wetherby	12	21 st June 2007	15
Totals:	98	8 sessions	321

Number of Councillors remaining who need training = 223

Number of Councils who have received no training = 13



Originator: Amy Kelly

Tel: 0113 39 50261

Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Standards Committee Training Plan

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to seek Members' comments on the amended Standards Committee training plan, and to seek the Committee's approval of the updated plan.
2. Members of the Committee commented on the draft training plan at their meeting on 12th July 2007 and after the meeting. This training plan, with Members' comments inserted, (attached as Appendix 1) contains details of training to be provided to new Members of the Committee as well as regular training for all Members.
3. Members are asked to:
 - consider whether to include the additional training suggested in the report and whether the training methods proposed sufficiently address these training needs; and
 - approve the amended plan attached at Appendix 1 to this report.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to seek Members' comments on the amended Standards Committee training plan, and to seek the Committee's approval of the updated plan.

2.0 Background Information

- 2.1 The Ethical Audit undertaken by the Audit Commission in 2004¹ recommended that the Council improve learning and development opportunities for Members in relation to governance issues.
- 2.2 When the Committee approved and adopted their training plan in January 2006, it was also agreed that the plan be periodically reviewed, especially with reference to any future developments in role or functions of the Standards Committee.
- 2.3 The training plan was therefore presented to the Standards Committee on 12th July 2007 for Members' comments. Members made a series of suggestions in the meeting, and via email after the meeting. Therefore the training plan has been amended to show these comments and suggestions and has been brought before the Committee again for final approval.

3.0 Main Issues

Amendments suggested at the meeting

- 3.1 In the discussion about the training plan, Members made the following suggestions for amendment:
- A section on Council business and the political context should be included in the training plan, as it can be difficult for external members to be aware of how to access certain documents, for example. It was suggested that a possible method of addressing this would be a mentoring scheme or a buddying system;
 - Some Members may need assistance with developing chairing skills, especially if it was going to become a requirement that all sub-committees need to be chaired by an independent member; and
 - It was also important for new Members of the Committee to have a briefing session with the Monitoring Officer on what the current issues are for the Committee.
- 3.2 These suggestions have now been included in the action plan, attached at Appendix 1. Members provisionally approved the training plan with these amendments highlighted above (minute 15).

Amendments suggested following the meeting

- 3.3 After the meeting, the Clerk received correspondence from Members of the Committee regarding further amendments to the Committee's training plan. The additional suggestions are as follows:
- **Introduction to the Council** - Recommend that new independent members of the Committee attend Full Council and a selected number of other committees (plans panel, licensing, etc.); and

¹ Audit Commission report, "Setting High Ethical Standards: Leeds City Council".

- **Decision making** - To ensure that new independent members understand how decisions are made in the Council and who makes them.

3.4 If the Committee were minded to include a requirement for new independent members to attend additional committee meetings, such as plans panel and Full Council, this could be easily achieved by providing the new member with a calendar of forthcoming meetings so that they could attend each meeting when convenient to them. Members of the Committee would need to decide which meeting were particularly relevant for the member to attend and attendance at which meetings would be compulsory, given the time commitments this may require.

3.5 If the Committee were also minded to include training on Council decision making, this could be achieved through an in-house training course called “Council Structures and Decision Making” already available to all Elected Members through the induction process and officers on request. This course includes information on the following subjects:

- Council and Executive Functions;
- Decision making by Members;
- Decision making by officers (delegations); and
- Executive decision making (types of decision and procedures).

4.0 Implications For Council Policy And Governance

4.1 Ensuring that the Committee is fully competent to carry out all of its activities supports the Council’s governance arrangements, and is in line with the principles of the Member Development Strategy.

5.0 Legal And Resource Implications

5.1 There are no legal implications to this report.

5.2 There are no resource implications to the additional training highlighted in the report.

6.0 Conclusions

6.1 Members of the Committee are asked to consider the suggestions for further training for new independent members of the Committee made since the last Committee meeting. The proposed amendments and possible training methods are detailed above.

6.2 The proposed updated version of the training method with the additions listed above is attached as Appendix 1 to this report.

7.0 Recommendations

7.1 Members are asked to:

- consider whether to include the additional training suggested in the report and whether the training methods proposed sufficiently address these training needs; and
- approve the amended plan attached at Appendix 1 to this report.

7.2 If Members decide to include the requirement for new independent members to attend other Committee meetings, Members of the Committee are asked to specify which meetings new members will be required to attend.

Standards Committee Training Plan

AIM	ACTION	TIME	RESPONSIBILITY
To ensure all members have an understanding of the Code of Conduct and various protocols governing member and officer relations	Briefing session during induction for Leeds City Councillors and Parish Councillors	On election	Chief Democratic Services Officer
	Briefing session for independent members	On appointment to Committee	Chief Democratic Services Officer
To ensure all members have the necessary skills to conduct a local hearing	Standards Board for England DVD on the new Code of Conduct	When released and all new Members on election or appointment to the Committee	Chief Democratic Services Officer
	E-learning Modules "Cracking the Code" on the new Code of Conduct	When released and all new Members on election or appointment to the Committee	Chief Democratic Services Officer
	The Local Codes and Protocols: A guide for Leeds City Council Members	On election or appointment to Committee	Chief Democratic Services Officer
	Briefing session on Standards Committee Procedure Rules	On appointment to Committee	Chief Democratic Services Officer
	Manual of guidance	All new members on appointment to the Committee provided with a copy for use during training / hearings.	Chief Democratic Services Officer

	Standards Board for England DVD 'Going Local: Investigations and Hearings'	All new members on appointment to the Committee	Chief Democratic Services Officer
	Training day with an external facilitator (including mock hearing exercise)	Annually or earlier if necessary	Chief Democratic Services Officer
	Regular reports on Adjudication Panel for England cases and decisions	Every committee meeting	Chief Democratic Services Officer
To ensure all members understand the committee's relationship with external bodies/agencies	Distributing newsletters released by the Standards Board for England	Within a week of release date	Chief Democratic Services Officer
	Attendance at conferences organised by external bodies	When they arise	Chief Democratic Services Officer
	Briefing session on overall relationship with outside bodies	On appointment to committee	Chief Democratic Services Officer
To ensure all members of the committee are aware of the role and function of the Monitoring Officer	Briefing session on role of monitoring officer	On induction / appointment to committee	Chief Democratic Services Officer
	Attendance at committee meetings by monitoring officer	Every committee meeting	Assistant Chief Executive (Corporate Governance)

<p>To ensure all members of the Committee have the necessary skills to consider/ filter local complaints</p>	<p>Consideration of six monthly complaints report Consideration of example cases (mock filtering exercise)</p>	<p>Every six months 3rd July 2007 and when convenient for remaining members All new members on appointment to the Committee</p>	<p>Chief Democratic Services Officer Chief Democratic Services Officer</p>
<p>To ensure all external members of the Committee have the necessary awareness of Council business and political context</p>	<p>Briefing session on Council business and political context “Buddy” system – each new external member of the Committee to be provided with a “buddy” selected from the existing members of the Committee. Attendance at meetings of Full Council and selected Committees to observe. Training on Council structures and decision making (briefing session)</p>	<p>On appointment to the Committee On appointment to the Committee On appointment to the Committee On appointment to the Committee</p>	<p>Assistant Chief Executive (Corporate Governance) Chief Democratic Services Officer Chief Democratic Services Officer Assistant Chief Executive (Corporate Governance)</p>
<p>To ensure all independent members of the Committee have the necessary skills to chair meetings of the</p>	<p>Training session on chairing meetings (through Member Development)</p>	<p>When available for existing members All new members on</p>	<p>Chief Democratic Services Officer</p>

<p>Committee</p>		<p>appointment to the Committee</p>	
<p>To ensure all members of the Committee are aware of current issues for the Committee and the context of the Committee's work</p>	<p>Briefing session on the Committee's current work and current standards issues</p>	<p>On appointment to the Committee</p>	<p>Assistant Chief Executive (Corporate Governance)</p>



Originator: Amy Kelly

Tel: 0113 39 50261

Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Ethical Audit for Junior Employees of Leeds City Council

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to advise Members of the Committee of the progress of the ethical audit for junior employees, and the approach taken so far.
2. A new local survey has been created for employees at grade SO2 and below to complete. A thousand employees have been approached to take part from all 64 service areas, with those which are public facing or having a large amount of contact with elected Members comprising a slightly higher proportion of those asked to participate.
3. The survey will open during October and it is anticipated that the results and a draft action plan will be available by the end of this municipal year.
4. Carrying out this second survey should assist the Council in achieving a good CPA score and will ensure that any issues regarding conduct are identified and addressed as soon as possible.
5. Members of the Committee are asked to note the contents of this report and the progress made on the ethical audit for junior employees so far.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to advise Members of the Committee of the progress of the ethical audit for junior employees, and the approach taken so far.

2.0 Background Information

- 2.1 In October 2004 the Audit Commission concluded an assessment of the Council's ethical governance arrangements. This review was, in part, informed by a survey of Members and officers. The report recommended that repeat surveys be undertaken in the future to assess Members' and officers' understanding of the ethical governance arrangements in place within the Council and to establish whether and how much progress has been made.
- 2.2 A national online survey was then developed by the Audit Commission for Members and officers to complete, which Leeds City Council took part in during 2006-07. The action plan arising from these results was approved at the last Standards Committee meeting.
- 2.3 All Members and Co-opted Members of the Council were asked to participate along with all Parish Councillors and Clerks. However only a sample of 1011 officers were asked to participate. These were split up into groups which were distinguished by department and then by three groups of seniority; officers on JNC grades, officers on scale PO4 to PO6 and officers on scale SO2 to PO3.
- 2.3 Unfortunately, although it was hoped that employees at all levels of the Council would be able to participate, we undertook a pilot survey with a group of less senior officers and established that the survey was not appropriate for use at that level. For this reason the sample groups were of officers at grades SO2 and above only.
- 2.4 In order to create a fuller and more accurate picture of the ethical awareness in the Council, a further local survey is now being conducted to assess employees at grades SO2 and below.

3.0 Main Issues

Aims of the survey

- 3.1 The Use of Resources section of the Comprehensive Performance Assessment questions whether the Council has arrangements in place that are designed to promote and ensure probity and propriety in the conduct of its business. The Council should aim to ensure that:
- the council has undertaken an assessment of standards of conduct, including how effectively members are complying with the code of conduct, the number and types of complaints received, and takes action as appropriate¹; and
 - the council can demonstrate that its members and staff exhibit high standards of personal conduct².

¹ This is a level 3 requirement.

² This is a level 4 requirement.

- 3.2 Assessing employees at all levels of seniority will assist the Council in identifying the issues we need to address in order to embed ethical behaviour further into the Council, thus contributing to an improved CPA score in this area.
- 3.3 The issues that have already identified as problematic for senior officers and Councillors may not be relevant for junior employees. Therefore we need to carry out a new survey that is relevant to them.

The survey

- 3.4 A separate local survey has now been devised to establish the level of awareness of the ethical framework amongst these employees. Some 'key' questions have remained the same as those asked in the Audit Commission survey in 2006 so that a comparison can be made between the two sets of results, but many other questions have been removed. The full survey is attached as Appendix 1 to this report.
- 3.5 This survey will be published on the Council's intranet site as an interactive webpage. This means that employees will not require as many paper copies of the survey, and that their answers can remain completely anonymous.

The participants

- 3.6 A thousand employees will be approached to take part in the survey in total. A proportion of these have been selected from all 64 service areas in the Council.
- 3.7 A slightly higher proportion has been selected from those service areas which are public facing e.g. customer services, and those who have a large amount of contact with elected Members e.g. planning and licensing officers.

Launch of the survey

- 3.8 The survey will go 'live' during October, and the chosen employees will be sent a link to the intranet page in order to complete the survey.
- 3.9 Prior to being sent the link the chosen employees and their line managers will be sent an email explaining what the purpose of the survey is and why they have been approached to complete it. It is hoped that line managers will encourage their staff to participate as much as possible.
- 3.10 A corporate message will be placed in the October issue of Team Talk, which is discussed at all team meetings throughout the Council in October. This message encourages staff to participate and explains the aims of the survey. An article has also been placed in Team Talker, the Council's newsletter, which is published on the intranet for all staff to access.
- 3.11 Finally, an article about the survey and its aims has also been placed in the October issue of Governance Matters which will hopefully raise the awareness of Directors and Chief Officers, and therefore disseminate to those asked to participate.

Results of the survey

- 3.12 The results of the survey will be collected together by Corporate ICT Services who created the interactive webpage. However, all the analysis will be completed internally by the Ethical Audit project group, which includes a representative from Corporate Human Resources.
- 3.13 It is anticipated that the headline results will be reported to the Committee at the 14th February meeting next year and that Corporate Joint Consultative Committee (which includes trade union representatives) will also be given the opportunity to comment. A draft action plan should be available by the end of the 2007-08 municipal year.

4.0 Implications For Council Policy And Governance

- 4.1 Carrying out this second survey should assist the Council in achieving a good CPA score and will ensure that any issues regarding conduct are identified and addressed as soon as possible.
- 4.2 Ensuring good ethical behaviour within the Council and that the processes are fit for purpose, also complies with the principles of the Code of Corporate Governance and the Committee's Terms of Reference.

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to carrying out this survey.
- 5.2 There are resource implications to publishing the survey as an interactive webpage, but it is anticipated that this can be met from within existing resources.

6.0 Conclusions

- 6.1 A new local survey has been created for employees at grade SO2 and below to complete. This survey will ask them their views on conduct in the Council and also test their knowledge of the Codes and Protocols in place.
- 6.2 A thousand employees will be approached to take part from all 64 service areas, with those which are public facing or having a large amount of contact with elected Members comprising a slightly higher proportion of those asked to participate.
- 6.3 The survey will open during October and will be advertised through Team Talk, Team Talker, and Governance Matters. Line managers and Section Heads have also been sent emails asking them to encourage their staff to participate.
- 6.4 It is anticipated that the results and a draft action plan will be available by the end of this municipal year.

7.0 Recommendations

- 7.1 Members of the Committee are asked to note the contents of this report and the progress made on the ethical audit for junior employees so far.

Ethical Standards Survey**Personal information****Your Service Area (choose from list below)**

(list of 64 service areas to follow)

On average, how much contact do you have with the general public as part of your job?

Often

Regularly

Rarely

Never

On average, how much contact do you have with Councillors as part of your job?

Often

Regularly

Rarely

Never

Your grade:

SO1-SO2

S4-S6

S1-S4 (or equivalent)

How long have you worked for the Council?

Less than 1 year

1-3 years

3-5 years

More than 5 years

Code of Conduct

Has the Council adopted a Code of Conduct for Councillors?

Yes
No
Don't know

Has the Council adopted a Code of Conduct for officers?

Yes
No
Don't know

Have you agreed to abide by the officers' Code of Conduct?

Yes
No
Don't know

How clear are you about reporting a potential breach of the Councillors' Code of Conduct?

Clear
Unclear

The Council's approach to promoting high ethical standards is encouraging appropriate behaviour across the Council.

Agree
Disagree
Don't know

The Council's approach to promoting high ethical standards is helping to build the public's confidence in local democracy.

Agree
Disagree
Don't know

If you become aware of any conduct by a Councillor which you reasonably believe involves a failure to comply with the Councillor's Code of Conduct, what action as an individual must you take?

- | | | | |
|--|---------------------------------|--------------------------------|--|
| a) inform the Monitoring Officer? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| b) make a written allegation to the Standards Board for England? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| c) speak to the Councillor? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| d) do nothing? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

If you had concerns about the behaviour of a Councillor, or queries about the Councillors' Code of Conduct, where could you go for advice?

- | | | | |
|---|---------------------------------|--------------------------------|--|
| a) speak to the Monitoring Officer? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| b) speak to your Union representative? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| c) speak to your line manager? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| e) contact the Corporate Governance Team? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

If you had concerns about the behaviour of officers, or queries about the officer Code of Conduct, where could you go for advice?

- | | | | |
|--|---------------------------------|--------------------------------|--|
| a) speak to the Monitoring Officer? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| b) speak to your Union representative? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| c) speak to your line manager? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| f) contact Human Resources? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| g) use the whistleblowing helpline? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

Standards Committee

- | | | | |
|--|-----------------------------------|--------------------------------------|--|
| Is there a Standards Committee in the Council? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| The work of the Standards Committee adds value to the Council. | Agree
<input type="checkbox"/> | Disagree
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

Please give examples:

Whistle blowing

Does the Council have a whistle blowing policy? Yes No Don't know

If yes, how clear is the policy? Clear Unclear Don't know

Officers use the Council's whistle blowing policy appropriately. Agree Disagree Don't know

Officers are able to use the Council's whistle blowing policy without fear of reprisal. Agree Disagree Don't know

Any comments?

Training

Have you been provided with training, advice or a briefing/information on:

The Human Rights Act 1998? Yes No Don't know

Freedom of Information Act 2001? Yes No Don't know

Data Protection Act 1998? Yes No Don't know

Race Relations (Amendment) Act 2000? Yes No Don't know

Sex Discrimination Act 1975? Yes No Don't know

Disability Discrimination Act 1995? Yes No Don't know

Conflicts of interest

How clear are you about what a conflict of interest is? Very clear Fairly clear Fairly unclear Very unclear

A register is kept in which Councillors are required to record any interests which may impair their impartiality, and their acceptance of any hospitality Yes No Don't know

or gifts.

A register is kept in which officers are required to record any interests which might impair their impartiality.

Yes

No

Don't know

A register is kept in which officers are required to record any offers of hospitality or gifts.

Yes

No

Don't know

Behaviour and culture

Leadership

Overall, Councillors...

- | | | | | | | |
|--|------------------------------------|-------------------------------------|---------------------------------------|------------------------------------|-----------------------------------|--|
| a) are a focus for positive change | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| b) do not interfere in operational issues | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| c) listen to the advice of officers | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| d) do not involve officers inappropriately in party political issues | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| e) show respect to officers | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| f) show respect to other Councillors | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| g) show respect to people who use Council services | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| h) treat fairly all users of Council services and do not discriminate unlawfully | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| i) treat fairly all officers and do not discriminate unlawfully | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| j) treat fairly all other Councillors and do not discriminate unlawfully | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

- | | | | | | | |
|---|------------------------------------|-------------------------------------|---------------------------------------|------------------------------------|-----------------------------------|--|
| k) perform their duties with honesty, integrity, impartiality and objectivity | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| l) use public funds and Council property and facilities responsibly | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

Any comments?

Overall, officers...

- | | | | | | | |
|--|------------------------------------|-------------------------------------|---------------------------------------|------------------------------------|-----------------------------------|--|
| a) show respect to Councillors | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| b) treat fairly all users of Council services and do not discriminate unlawfully | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| c) treat fairly all Councillors and do not discriminate against them unlawfully | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

Any comments?

Communications

Do you agree that the importance of high standards of behaviour amongst officers is communicated via training, meetings, newsletters, the local media and the Leeds City Council website?

Yes <input type="checkbox"/>	No <input type="checkbox"/>	Don't know <input type="checkbox"/>
---------------------------------	--------------------------------	--

Communication between:

- | | | | | | | |
|---|------------------------------------|-------------------------------------|---------------------------------------|------------------------------------|-----------------------------------|--|
| a) Councillors and officers is open | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |
| b) Councillors and officers is constructive | Always
<input type="checkbox"/> | Usually
<input type="checkbox"/> | Sometimes
<input type="checkbox"/> | Rarely
<input type="checkbox"/> | Never
<input type="checkbox"/> | Don't know
<input type="checkbox"/> |

The public can easily access the Councillors' code of conduct.

Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
-----------------------------------	--------------------------------------	--

The public can easily access the Councillor's

Agree	Disagree	Don't know
-------	----------	------------

register of interests.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The public can easily access documents relating to committee meetings (for example, agendas, minutes, background papers).	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>

Any comments?

Relationships

Councillors and officers trust each other.	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
Councillors carryout their roles without fear of being bullied, intimidated or harassed.	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
Officers carryout their roles without fear of being bullied, intimidated or harassed by Councillors.	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>

Any comments?

Accountability

Decision making by officers is transparent, objective and follows agreed procedures.	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
Officers are accountable for their decisions and actions.	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
The public has easy access to information on whom has taken particular decisions at the Council, for example, through Committee minutes and delegated decision forms.	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>

Any comments?

Management of Standards

There is a culture in the Council which allows Councillors to challenge decisions without fear of reprisal	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
There is a culture in the Council which allows officers to challenge Councillors' decisions without fear of reprisal	Agree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
There is a culture in the Council which allows the	Agree	Disagree	Don't know

public to challenge decisions without fear of reprisal.

The Council's complaints system is clear and accessible

Agree

Disagree

Don't know

Overall, Councillors...

a) take complaints from the public seriously

Agree

Disagree

Don't know

b) respond positively to constructive external criticism about the Council

Agree

Disagree

Don't know

Overall, officers...

a) are able to refer complaints about Councillors' behaviour without fear of reprisal

Agree

Disagree

Don't know

Team working and co-ordination

Councillors and officers work well together to achieve the Council's common goals

Agree

Disagree

Don't know

The Council works well with voluntary and community groups to achieve the area's common goals.

Agree

Disagree

Don't know

Any comments?

Please add any additional comments that would help us to understand your experience of the Council's approach to ethical standards.

Please note that individuals will not be identified in the results and analysis.

Thank you for taking the time to complete this survey.

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Originator: S A Turnock

Tel: x74666

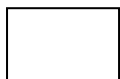
Report of The Chief Officer (Legal, Licensing and Registration)

Standards Committee

Date: 10th October 2007

Subject: Local Investigation into a Complaint against a member – SBE 16721.06

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 This Report updates members of the Committee on the progress of the above Investigation.

2.0 Background Information

2.1 By letter dated 21 December 2006 the Standards Board for England (the Board) notified the Monitoring Officer of a complaint against a Leeds City Councillor. By letter dated 12 January 2007 the Board notified the Monitoring Officer that under section 60(2) of the Local Government Act 2000 they had decided to refer the matter to her for investigation.

2.2 The Monitoring Officer requested that her Deputy, the Chief Officer (Legal, Licensing and Registration) act as Investigating Officer.

3.0 Main Issues

3.1 The Committee have been informed in general terms about the progress of the Investigation and have expressed concern about the timescale and have asked for a more detailed progress report

3.2 The Investigating Officer has prepared an anonymised Chronology which sets out the steps taken to-date. That Chronology is attached as Appendix 1.

3.3 It will be noted that the stage has now been reached where a draft report can be shared with the complainant and the councilor for their comments. It is proposed that those comments should be received by 28 September 2007. When those comments have been received they will be added to the Report which will then become final and ready to be presented to the Committee.

3.4 At the conclusion of this matter, then a report regarding lessons learned in terms of the process will be presented to the Committee.

4.0 Recommendations

4.1 That the Committee note the content of this Report.

COMPLAINT SBE16721.06

Chronology

DATE	ACTION
9 November 2006	Mrs Oak submits complaint to Standards Board
21 December 2006	Details of allegation and decision to refer to ethical standards officer notified to Monitoring Officer.
4 January 2007	Letter from Standards Board asking if case was suitable for Local Investigation.
9 January 2007	Response from Deputy Monitoring Officer indicating there is no reason that the matter should not be referred.
12 January 2007	Letter to Monitoring Officer referring Complaint referred for investigation.
25 January 2007	Letter to Mrs Oak from Investigating Officer notifying her of the investigation and suggesting 7 February as date to meet.
25 January 2007	Letter to Councillor Beech from Investigating Officer informing him of Investigation.
7 February	Meeting with Mrs Oak. Details taken to prepare statement. Mrs Oak to send copy documents in her possession but not available at meeting.
13 February	Letter to Mrs Oak from Investigating Officer confirming that she will send additional documents.
13 February	Update email from Investigating Officer to Councillor Beech.
28 February	Letter received from Mrs Oak sending copy correspondence and indicating a further document is being sought.

7 March	Update email from Investigating Officer to Councillor Beech.
16 March	Draft statement prepared and submitted to Mrs Oak.
3 April	Letter sent to Mrs Oak from Investigating Officer seeking return of statement.
19 April	Letter sent to Mrs Oak from Investigating Officer seeking return of statement.
30 April	Email update to Councillor Beech from Investigating Officer.
16 May	Letter from Mrs Oak received with suggested amendments to statement.
18 May	Amended statement sent to Mrs Oak.
31 May	Letter sent to Mrs Beech from Investigating Officer seeking return of statement.
8 June	Signed statement received from Mrs Oak.
11 June	Email to Councillor Beech from Investigating Officer asking for date for interview.
22 June	Interview with Councillor Beech, Who requests that interviews with Ms Elm (Council Officer), Mrs Birch (member of public) and Councillor Alder are conducted.
22 June	Letter and emails sent to witnesses seeking dates for interview.
4 July	Interview of Councillor Alder.
9 July	Follow up request for interviews re Mrs Birch and Ms Elm
10 July	Update letter to Mrs Oak.

11 July	Email from Councillor Beech informing me of Mrs Birch's unavailability as a witness.
11 July	Email from Mr Cherry informing me that Ms Elm is on long term sick. Arranged to interview him. He will contact Ms Elm to see if she is available to interview.
19 July	Interview with Mr Cherry and access to house file obtained.
22 July	Statement received from Councillor Alder.
27 July	Draft statement sent to Mr Cherry.
27 July	Email from Mr Cherry confirming contact had been made with Ms Elm requesting that she contact me.
9 August	Email to Mr Cherry requesting telephone number for Ms Elm as no contact yet been made. [later informed she had suffered bereavement following death of mother].
15 August	Update email to Councillor Beech from Investigating Officer.
16 August	Update email to Councillor Beech from Investigating Officer.
16 August	Email to Mr Cherry requesting signed statement.
17 August	Update letter to Mrs Oak.
17 – 29 August	Investigating Officer – Annual Leave.
30 August	Statement of Ms Elm received.
7 September	Review of papers to prepare draft Report.

11 September	Informed that Mr Cherry has left Leeds City Council.
12 September	Telephone conversation with Mrs Oak updating her on situation.
12 September	Telephone conversation with Ms Elm regarding clarification of statement.
12/13 September	Preparation of draft Report.
13 September	Address of Mr Cherry ascertained and letter sent to him
14 September	Additional Statement received from Ms Elm
17 September (anticipated)	Draft Report issued to parties. Request for comments by 28 September
1 October (anticipated)	Final Report Prepared



Originator: Amy Kelly

Tel: 0113 39 50261

Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 10th October 2007

Subject: Standards Committee Work Programme 2007/08

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

1.1 To notify Members of the Committee of the work programme for the remainder of this municipal year and to seek comments from the Committee regarding any additional items.

2.0 Background Information

2.1 The work programme provides information about future items for the Standards Committee agenda, when reports will be presented to the Committee and who the responsible officer is.

3.0 Main Issues

3.1 The work programme for the year 2007/8 is attached at Appendix 1.

4.0 Implications For Council Policy And Governance

4.1 There are no implications for Council policy.

4.2 By ensuring the codes and protocols of the Constitution are reviewed and fit for purpose, the Standards Committee is supporting the Council's governance arrangements.

5.0 Legal And Resource Implications

5.1 There are no legal and resource implications.

6.0 Conclusions

- 6.1 The work programme is attached at Appendix 1 for the Committee's information.
- 6.2 The work programme contains information about future agenda items for the Committee.

7.0 Recommendations

- 7.1 Members of the Committee are asked to note the work programme and advise officers of any items they wish to add.

STANDARDS COMMITTEE - WORK PROGRAMME 2007/08

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES	DATE ENTERED INTO WORK PROGRAMME / SOURCE
Meeting date: 5th December 2007 – The deadline for reports for this meeting is 12th November 2007			
Standards Committee Independent Members' Forum	To receive the minutes from the October meeting of the Independent Members Forum.	Corporate Governance Officer Amy Kelly	
Adjudication Panel Decisions/Notable Cases	Regular report detailing the most recent Adjudication Panel decisions and any other notable standards cases.	Corporate Governance Officer Amy Kelly	
Complaints referred to the Standards Board for England in the period April 2006 to October 2007	Regular item every 6 months detailing the number of complaints referred to the Standards Board for England in relation to Members of Leeds City Council and local Parish or Town Councillors within the area, and the outcome of those complaints.	Corporate Governance Officer Amy Kelly	
Ethical Framework and Awareness Programme for officers	To receive a report outlining work which has been done to further analyse the results of the ethical audit, and details of the new ethical framework and awareness programme for officers.	Head of Human Resources Strategy Helen Grantham	
Consultation with Members regarding the additional of local provisions to the Code of Conduct	To receive a report proposing a consultation with Members regarding whether additions need to be made to the Code of Conduct.	Principal Corporate Governance Kate Feltham	

STANDARDS COMMITTEE - WORK PROGRAMME 2007/08

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES	DATE ENTERED INTO WORK PROGRAMME / SOURCE
Local Filtering of Complaints	To receive a report outlining the new arrangements for local filtering of complaints due for implementation in April 2008, including the creation of a filtering panel.	Principal Corporate Governance Officer Kate Feltham	
Member Training and Development on current legislation	To receive a report on the outcome of discussions at the Member Development Working Group in relation to proposals for Member Training and Development on current legislation, such as human rights and equalities.	Head of Scrutiny and Member Development Peter Marrington	
Officer declaration and registration of interests	To consider a report on the ongoing work regarding officer decision making and declarations of interest.	Human Resources Manager – Workforce Planning Christine Atkinson	
Meeting date: 13th February 2008 – The deadline for reports for this meeting is 21st January 2008			
Draft Standards Committee Annual Report 2006/2007	To seek Members' input on content of the Standards Committee annual report 2006/2007. The report provides proposals and suggestions for content, and a draft report.	Corporate Governance Officer Amy Kelly	
Parish Council Training	To receive and consider a report detailing the outcome of the annual review of available governance and other related training for Parish Council Members and Clerks and the extent of take up within Parishes in Leeds.	Corporate Governance Officer Amy Kelly	
Parish Council Audit	To receive and consider the results of the Parish Council audit carried out following the adoption of the new Code of Conduct.	Corporate Governance Officer	

STANDARDS COMMITTEE - WORK PROGRAMME 2007/08

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES	DATE ENTERED INTO WORK PROGRAMME / SOURCE
		Amy Kelly	
Adjudication Panel Decisions/Notable Cases	Regular report detailing the most recent Adjudication Panel decisions and any other notable standards cases.	Corporate Governance Officer Amy Kelly	
Annual report on the Monitoring Officer Protocol	The Monitoring Officer will report to the Standards Committee regarding whether the arrangements set out in the Protocol have been complied with and will include any proposals for amendments in the light of any issues that have arisen during the year.	Assistant Chief Executive (Corporate Governance) Nicole Jackson	
Ethical Audit Action Plan – Progress Report	To receive a report outlining the progress so far against the Ethical Audit Action Plan.	Principal Corporate Governance Officer Kate Feltham	
Protocol on Member/Officer Relations – Results of consultation	To receive a report outlining the comments received from consultees regarding amendments to be made to the Protocol.	Principal Corporate Governance Officer Kate Feltham	
Meeting date: 2nd April 2008 – The deadline for reports for this meeting is 10th March 2008			
Final Standards Committee Annual Report 2006/2007	To seek Member's approval for the final draft of the Standards Committee Annual Report 2006/2007.	Corporate Governance Officer Amy Kelly	

STANDARDS COMMITTEE - WORK PROGRAMME 2007/08

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES	DATE ENTERED INTO WORK PROGRAMME / SOURCE
Adjudication Panel Decisions/Notable Cases	Regular report detailing the most recent Adjudication Panel decisions and any other notable standards cases.	Corporate Governance Officer Amy Kelly	
Standards Committee Procedure Rules	The Monitoring Officer will report to the Committee on how the “gate-keeping” role has been discharged, in respect of preliminary investigations under paragraph 3.2, and in respect of reports where s/he decided that no further action should be taken, under paragraph 4.1. The Monitoring Officer will report to the Standards Committee annually on whether the arrangements set out in this procedure have been complied with, and will include any proposals for amendments in the light of any issues that have arisen during the year.	Assistant Chief Executive (Corporate Governance) Nicole Jackson	
Review of Members' Register of Interests from October 2007	To receive a report on the arrangements in place for reviewing the Members' Register of Interests, and the results of the recent review.	Corporate Governance Officer Amy Kelly	

STANDARDS COMMITTEE - WORK PROGRAMME 2007/08

ITEM	DESCRIPTION	RESPONSIBLE OFFICER/NOTES
<u>Unscheduled Items</u>		
Draft Code of Practice for the Determination of Licensing and Planning Matters	Consideration of a new draft code of practice for the determination of licensing and planning matters, to replace the two separate codes and to include provisions in relation to the Gambling Act.	Lead Officer: Robert Wade
Officer Code of Conduct	Approval of a revised Leeds City Council Officer Code of Conduct following receipt of the Model Code. ¹	Lead Officer: Stuart Turnock
Partnerships Survey	To receive a report detailing the outcome of the partnerships survey and the Corporate Governance arrangements in place within the Council's partnerships.	Lead Officer: Liz Davenport
Membership of Standards Committee	To receive a report comparing the membership of the Standards Committee in Leeds with other Local Authorities, and considering any lesson for Leeds. (Minute 84)	Lead Officer: Andy Hodson

¹ The Department for Communities and Local Government will not resume work on the officer code of conduct until late 2007.

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