

Governance Matters



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Issue 7

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Welcome to our first anniversary issue of Governance Matters!

In Governance Matters this month our regular in-depth feature 'Spotlight on...' focuses on the Full Council's decision making processes. We will also tell you a little bit about how Council meetings work. All these arrangements are contained in the Council's Constitution and we will signpost you to the relevant sections. For further information see page 2.

We will also take a look at what the Corporate Governance and Audit Committee considered at their September meeting, and at what is scheduled for their next meeting. Since the last edition of Governance Matters the Standards Committee has not met so we are going to take this opportunity to recap on some of the issues we have covered in the last year.

You can play your part by emailing suggestions for articles to cxd.corporategovernance@leeds.gov.uk

Front Page News...

Ethical Online Survey

On 26th September the Standards Committee launched the ethical online survey, with the help of representatives from North Yorkshire County Council Standards Committee and the Audit Commission.

The launch event was a great success. Officers and Members who attended will be encouraging all those who have been chosen to take part in the survey to complete their questionnaires as soon as possible.

The results of the survey will help the Council identify areas for improvement and what it needs to do to improve understanding and awareness of ethical standards.

Watch this space!

The results of the ethical online survey and what the Council is going to do to improve ethical awareness will be reported in Governance Matters in the new year.

The Access to Information Procedure Rules

In August an important change was made to the Access to Information Procedure Rules. This amendment reflects changes in legislation. All officers and Members should note the public's new rights of access to information under the Freedom of Information Act 2000 and the new categories of exempt information for the purposes of formal reports and minutes. You can find the Access to Information Procedure Rules on the internet in the [Part 4 of the Council's Constitution](#).

Spotlight on...

Council decision making

Last time in Governance Matters we told you that most of the Authority's day-to-day decisions are the responsibility of the Executive. There are also some functions which are the sole responsibility of the Council. Council decisions are further classified as decisions which can **only** be taken at a meeting of full Council and those decisions which can be delegated to the Council's committees or officers.

An example of a decision which can only be made by a meeting of full Council is to make, amend, revoke or replace a Members' Allowances Scheme, which includes details of the allowances to be paid to Members and rates of expenses.

You can view a list of full Council functions in [Part 3 \(Section 2a\)](#) of the Constitution.

Delegating Council decisions

Like the Executive Board, the Council can delegate some of its responsibilities to committees or officers.

Committees

Council committees can be grouped according to the types of decisions they make.

Regulatory

Plans Panels
Licensing Committee
Licensing and Regulatory Panel

Council

Standards Committee
Corporate Governance and Audit Committee

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Member Management Committee

Scrutiny

Overview and Scrutiny Committee
Scrutiny Boards

Officers

As with executive decisions, certain officers have delegated authority to take Council decisions. [Part 3 \(Section 2c\)](#) sets out what functions have been delegated to which officer.

Council meetings

Council meetings involve all ninety nine of the City's elected members and are chaired by the Lord Mayor.

Usually seven ordinary Council meetings are held each year. You can find out more about the business conducted at these meetings [here](#).

CAUTION...

The types of decisions that we described last time (Key, Major, Significant Operational, and Administrative decisions) **do not** apply to Council decisions. Council decisions are not included in the Forward Plan.

Council decisions are also not eligible for call-in by the Overview and Scrutiny Committee.

JARGON BUSTER

Regulatory – this generally refers to decisions such as the granting of licences for taxis, gaming or selling alcohol, or planning permission.

Corporate Governance and Audit Committee

27th September 2006

Among the issues the committee considered were the **Local Government Ombudsman's** Annual Letter and the external auditor's report on the Council's accounts.

OMBUDSMAN'S ANNUAL LETTER

The letter is produced annually and highlights any particular areas of concern or good practice regarding the Council's handling of complaints. Overall this year's letter was positive and the Ombudsman commented on the good relationship between officers of the Council and the Ombudsman's office.

Officers were also present at the meeting to explain how departments ensure that they learn from complaints to the Ombudsman.

THE AUDITED ACCOUNTS

At their June meeting the Committee received the Council's Statement of Accounts, which contain all the financial statements, explanatory and disclosure notes required by law, in order to fairly represent the financial position of the Council.

The Council's external auditors then produce a report on the accounts – in order to identify any errors and to issue an opinion on whether the Council ensures Value for Money. This year's accounts contained no material errors and the auditors commented that "the Authority has proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources."

29th November 2006

Items to be considered in November include:

- An update report on the Council's Risk Management arrangements.
- A report detailing the progress which the Council has made in addressing the actions in the Corporate Governance Statement Action Plan.
- The half-year update report from Internal Audit.
- A report detailing a number of amendments to the Council's Constitution as a result of the Gambling Act.

JARGON BUSTER

The **Local Government Ombudsman** investigates complaints about councils and certain other bodies.

They investigate complaints about most council matters including housing, planning, education and social services. It is an independent, impartial and free service.

The Ombudsmen can investigate complaints about how the council has done something. But they cannot question what a council has done simply because someone does not agree with it.

You can access the Ombudsman's website [here](#).

Governance Matters – The Last Year

Since the last edition of Governance Matters the Standards Committee has not met so we are going to take this opportunity to recap on some of the issues we have covered in the last year.

Personal and Prejudicial Interests (Issue 2 – December 2005)

Central to the Members' Code of Conduct is the need to declare personal and prejudicial interests during council meetings. This creates public confidence that decisions are taken in the public interest rather than for personal gain.

Officers also have an obligation to declare personal interests to their departmental chief officer where these conflict with the council's interests. To do this officers must complete a 'register of employee interests form', a copy of this is available in the constitution.

Codes of Conduct (Issue 3 – February 2006)

Member and officer codes of conduct govern how Members and officers should behave. These codes exist to ensure that Members and officers behave in the manner expected by the public. Both Codes of Conduct can be found in Part 5 of the Constitution.

Register of Interests (Issue 4 – April 2006)

All Members are required to record their financial and other interests in

a register maintained by Governance Services.

This register is a public document which is available for inspection by other Members, officers and members of the public.

Constitution (Issue 5 – June 2006)

The Constitution sets out how the Council operates, how decisions are made and how officers and Members of the Council are expected to behave.

Executive Decision Making (Issue 6 – August 2006)

In Leeds we have a Leader and Cabinet (Executive Board) model of decisions making. Most of the Authority's day-to-day decisions are the responsibility of the Executive Board, or the Committees or officers to which it delegates responsibilities.

For more information about these topics, you can read past issues of Governance Matters [here](#).

THE NEXT ISSUE OF GOVERNANCE MATTERS

We hope you have found this issue of Governance Matters useful.

In the next issue we will focus on the register of gifts and hospitality.

If you have any ideas for our 'Spotlight On...' feature or any questions you would like answering, please contact the Corporate Governance Team on 0113 39 51632 / 0113 39 50261 or email us at cxd.corporategovernance@leeds.gov.uk