

Governance Matters



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Issue 15

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Welcome to the February issue of Governance Matters.

This month our regular in-depth feature 'Spotlight on..' provides an update on the Council's decision making structure and procedures, with a focus on concurrent delegations.

We also take a look at what the governance committees have been doing over the past two months, and at their schedule for the next meetings of the municipal year.

Both Committees have had, or will be having additional meetings next month, and details of these are included in the Committee pages.

We hope you find the information helpful and interesting. You can play your part by emailing suggestions for articles to cxd.corporategovernance@leeds.gov.uk

Front Page News...

Consultation on the Members' Code of Conduct

The Standards Committee is currently consulting Members on the Code of Conduct, and in particular whether Members would like to add any local provisions to the Code. The consultation period ends on 7th March 2008. If you have any suggestions for additions, please email the Corporate Governance Team.

Constitution amendments

A number of amendments to the Council's Constitution were published on the Council's website in January. Many of these amendments implemented proposals under the Council's Change Programme, including providing new concurrent delegations to the Chief Highways Officer (see further 'Spotlight on..') and reassigning delegations among the strategic Directors. A summary of all the amendments is available on the Council's [website](#).

E-learning module – "Cracking the Code"

The e-learning module on the Members' Code of Conduct has now been updated in accordance with the new Code which was adopted by the Council in May 2007. The e-learning module is in two parts (the general obligations and understanding interests) and is designed to help Members understand the new Code and how it can work to support them. The new module was launched prior to the Full Council meeting in January, and 51 Members took a copy away with them. If you would like a copy, please contact Member Development on 0113 39 50279.

Spotlight on...

Concurrent delegations

Decision making in Leeds

In Leeds we have a Leader and Cabinet (Executive Board) model of decision making. Most of the Authority's day-to-day decisions are the responsibility of the Executive Board. Area Committees and Officers also take some executive decisions.

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.

Delegating decisions

Certain officers have delegated authority to take all types of decision. [Part 3 \(Section 2c\) and \(Section 3e\)](#) of the Constitution also sets out what executive and council functions have been delegated to which officer.

For key, major and significant operational decisions officers must complete a delegated decision notice which provides information regarding why the decision has been made and when it will be implemented. [Delegated decision notices](#) can be viewed on the Council's webpage.

BEAR IN MIND...

Chief Officers and Directors can refer a decision back to the Executive Board or the relevant Council Committee if they think it is appropriate. The Leader of the relevant Executive Member can also request that the Executive Board take the decision themselves.

Concurrent delegations

As we have explained the Leader of the Council may delegate executive functions to named officers. These officers are accountable to the Executive Board for these functions. Until recently, such delegations were only made to Directors, who could then sub-delegate to other named officers. The principle being that the Director remained accountable for those functions.

The introduction of the concept of concurrent delegations to certain Chief Officers has widened the scope of officers that can receive delegations directly from the Leader. Where concurrent delegations are made particular functions are delegated, by the Leader, to both a Director and a Chief Officer. However the Chief Officer must consult the Director when taking any key or major decisions.

Whilst the scope of the concurrent delegation scheme allows either the relevant Executive Member or the Director to direct a Chief Officer not to take a decision, the principle is that the Chief Officer is accountable to the Executive for any decisions that they themselves take, or others take within that Chief Officer's **sub-delegation scheme**.

NEWS FLASH!

There is now an approved template for Directors and Chief Officers writing sub-delegation schemes. All Directors and Chief Officers must revise their sub-delegation schemes in accordance with the template by the end of February 2008.

Corporate Governance and Audit Committee

14th January 2008

Among the issues the Committee considered were the half-year internal audit update report and a report regarding progress against the Corporate Governance Statement Action Plan (see issue 6 for an explanation of the Corporate Governance Statement).

HALF YEAR INTERNAL AUDIT REPORT

Internal Audit is an independent appraisal function established by the Council to objectively examine, evaluate and report on the adequacy of internal control as a contribution to the proper, economic, efficient, and effective use of resources. The internal control system comprises the whole network of systems established within the Council to ensure that its objectives are achieved and in the most economic and efficient manner.

The half year report updates Members on the work undertaken in the first six months of the year and summarises the significant issues during the period.

PROGRESS AGAINST THE CORPORATE GOVERNANCE STATEMENT ACTION PLAN

Part four of the Corporate Governance Statement details the programme for improvement for significant control issues. Based on the areas of improvement detailed in the Council develops an action plan. The Committee are then able to monitor progress against the areas of improvement throughout the year and discuss any issues with the relevant responsible officer at the Committee meeting.

6th February 2008

Items due to be considered at the meeting on 6th February 2008 include:

- a report following up the Committee's resolution in relation to the review of polling districts and places;
- an update report regarding Ombudsman complaints;
- proposals for the CGA Committee's annual report; and
- a report regarding the re-launch of the Council's whistleblowing policy.

19th March 2008

This is an additional meeting to deal with the Committee's expanding work programme. Items due to be considered include:

- the first draft of the Committee's annual report;
- an update on the developing governance arrangements for the East and South East Leeds (EASEL) regeneration initiative;
- a report on the governance of Aire Valley Homes;
- a report setting out proposals for amendments to the substitution and quorum arrangements for the CGA Committee; and
- a report regarding governance arrangements for partnership working within Children's Services.

Standards Committee

5th December 2007

Among the issues the Committee considered was an update on decision making by officers, and a report on the complaints made about Leeds City Councillors and Parish and Town Councillors in Leeds between April 2007 and October 2007.

INFORMED, TRANSPARENT DECISION MAKING - OFFICER DECLARATIONS

The Assistant Chief Executive (Corporate Governance) submitted a report updating Members of the Committee of the progress achieved in ensuring transparent employee decision making which can be shown to be free from bias on the occasions when private life and public interest are linked.

Members of the Committee resolved to write to Communities and Local Government to ask when the national Officer Code of Conduct will be available for consultation, and to suggest that a version of the officer register of interests with the third party information removed be considered for publication.

COMPLAINTS REFERRED TO THE STANDARDS BOARD FOR ENGLAND

The Committee considered a report of the Assistant Chief Executive (Corporate Governance) advising them of 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 period 1st April 2007 and 30th September 2007.

13th February 2008

Items to be considered at the meeting on 13th February include:

- A report on the results of the consultation on the Protocol on Member/officer Relations;
- The draft Leeds City Council response to the consultation paper produced by Communities and Local Government on the new standards arrangements;
- Proposals for sub-committee arrangements to deal with the new local assessment function; and
- The first draft of the Standards Committee Annual Report.

13th March 2008

This is an additional meeting to consider items including:

- The headline results of the ethical audit 2007;
- The results of the Parish and Town Council Annual Audit; and
- The development of local assessment criteria for dealing with complaints of misconduct.

THE NEXT ISSUE OF GOVERNANCE MATTERS

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

In the next issue of Governance Matters we will focus on the Council's whistle blowing policy.

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