

## Standards Board for England – Annual Return Questions

### Independent Overview

Does the Standards Committee have Terms of Reference?
Yes
What help do Members receive on following the Code of Conduct?
Members receive training and guidance materials on the Code of Conduct, and are able to contact officers for additional advice and guidance when necessary. Members receive compulsory training on the Code of Conduct on their election and re-election through the Members' Induction period. They are also provided with a copy of the guidance booklet from the Standards Board for England, our own e-learning package on the Code of Conduct and a pocket guide to the local codes and protocols for reference purposes. Members on Planning and Licensing Committees also take part in compulsory governance training every year which includes a section on the Code of Conduct. Members are sent the Standards Board for England Bulletin and our own newsletter called 'Governance Matters' which covers the work of the Council's governance committees and has a regular 'spotlight on' section which focuses on a specific conduct or governance subject in each issue. Members are assisted with complying with the requirements for them to register and declare interests through the methods identified in the answer to question 8.3.
Does the Standards Committee have a forward work plan?
Yes
If yes, who outside of the Standards Committee is involved in agreeing the forward work plan? Please explain below.
In consultation with the Chair of the Standards Committee, the Monitoring Officer and other senior officers who support the Standards Committee will suggest adding items as necessary. This might be as a result of national or local developments. However overall the Standards Committee approve the work programme at the end of each Committee meeting. They are also able to comment on the work programme or request that items are added at any point.
Is the Standards Committee given a role in reviewing amendments to the authority's Constitution (or standing orders where appropriate)?
Yes
If yes, when was the last review undertaken and what was the standards committee's role in the review? Please explain below.
The Standards Committee has responsibility for reviewing the local codes and protocols (which supplement the Member and Officer Codes of Conduct) and does so annually. The Standards Committee also reviews its own Procedure Rules on an annual basis and after conducting hearings.
<u>Standards Committee meetings</u>
Please use the table below to indicate how many times between 1 <sup>st</sup> April 2008 and 31 <sup>st</sup> March 2009 the Standards Committee has met and for what reasons.

Reason for meeting	Number of times met between 1 <sup>st</sup> April 2008 and 31 <sup>st</sup> March 2009
General meeting of whole Standards Committee	5
Training	0
Assessment Sub-Committee	6
Review Sub-Committee	3
Consideration meeting	1
Hearing	0
Other	1

### Standards Committee - Annual Report

Does the Standards Committee produce an annual report on its own work?
Yes
If yes, is the annual report received by a meeting of the full authority?
Yes
If yes, is the annual report sent to all Members?
Yes
If yes, is the annual report sent to all senior officers?
No
If yes, how is the annual report publicised to the general public?
The Annual Report is published on the Council's website and is highlighted in the Council's newsletter on governance and standards issues, called 'Governance Matters' – also available on the Council's website.

### Standards Committee - Promoting Standards

What else does the Standards Committee do to communicate its role and the importance of high standards internally within the authority to Members and officers?
<p>The Standards Committee features heavily in the Council's own newsletter on governance and standards issues, called 'Governance Matters'. Governance Matters is sent to all Directors and Chief Officers, all staff within Legal and Democratic Services, and all Councillors and co-opted Members of the authority.</p> <p>The Standards Committee maintains close links with the Corporate Governance and Audit Committee (CGA), and the Chair of the Standards Committee is a co-opted (non-voting) member of CGA. The Standards Committee also provide CGA with six monthly progress reports on their work and each receives the others' minutes.</p>
What else has the Standards Committee done to promote confidence in local

democracy to the wider public?

The Standards Committee produces an annual report which is published on the Council's website. The Standards Committee has also taken part in the LGC Awards this year to try to raise the profile of standards and ethics within the Council. This has led to publicity through the Standards Board for England and the LGC due to being short-listed for the standards and ethics award.

Has the authority, or the Standards Committee in particular, considered how it will monitor and ensure high standards of behaviour when the authority is working in partnership with other organisations?

Yes

If yes, please provide examples.

The authority has a Governance Framework for Significant Partnerships and has developed a Partnerships Toolkit to support this. A register of the Council's significant partnerships has also been compiled in conjunction with Directors.

The governance framework places requirements on the Council's significant partnerships in terms of their ethical behaviour, and the Standards Committee has had an overview of these requirements.

## Standards Committee - Training

Between 1<sup>st</sup> April 2008 and 31<sup>st</sup> March 2009, has the authority assessed the training and development needs of Members in relation to their responsibilities on standards of conduct?

Yes

If yes, what training and development needs were identified?

- General training on the Code of Conduct (provided through the induction and when necessary);
- Training on legislation such as Human Rights, Data Protection, Freedom of Information and Equalities (provided through specific guides); and
- Training for Members of Planning and Licensing Panels on relevant governance issues (provided through an annual compulsory training session).

Please provide a list of training and development opportunities that have been provided to Members and officers in the period above that are relevant to ensuring high standards.

Your list should include any training that relates to the operation of the local standards framework e.g. local assessment and hearings.

- Training on the Members' Code of Conduct through Induction (May 2008)
- Briefing Notes issued to all political groups regarding local assessment process
- Compulsory 'Governance and Conduct' training for all Members of Planning and Licensing Committees – update on the Code of Conduct and training on local assessment process

- Training session through the Parish and Town Council Annual Conference on the Members' Code of Conduct and the local assessment process
- Series of lunchtime seminars for officers working within Legal and Democratic Services on registration and declaration of interests for Members, the general obligations of the Members' Code of Conduct and the local assessment process
- Training for officers through the Corporate Induction on the Member and officer Code of Conduct
- Training for officers through an ethical governance package – available on request and identification of a particular training need through the PDP process.

## Leadership

How often has the Standards Committee, or its Chair, met the Chief Executive to discuss ethical issues in the last 12 months (from 1<sup>st</sup> April 2008 to 31<sup>st</sup> March 2009)?

Two

Please also provide an overview of what the meetings were about.

- Options for increasing the membership of the Standards Committee
- Briefing on the New Local Assessment Arrangements
- Member co-operation with Case Investigations
- Opportunities to review the scope and remit of the Standards Committee Terms of Reference
- Relationships with and between Members

These meetings are scheduled on a quarterly basis.

How often has the Standards Committee, or its Chair, met the leader of the Council to discuss ethical issues in the last 12 months?

Four

Please also provide an overview of what the meetings were about.

- Options for increasing the membership of the Standards Committee
- Briefing on the New Local Assessment Arrangements
- Member co-operation with Case Investigations
- Opportunities to review the scope and remit of the Standards Committee Terms of Reference
- Briefing on the work programme of the Standards Committee
- Briefing on the Annual Report from the Standards Committee

These meetings are scheduled on a quarterly basis, and due to the political composition of Leeds City Council and the shared political leadership, these quarterly meetings are shared between the Leader of the Liberal Democrat Group and the Leader of the Conservative Group. For 2009/2010, a report is proposed to be brought to the Standards Committee to give consideration to inviting leaders of

the political groups and certain senior officers to meetings of the Standards Committee to explain their role in the Council and how they are upholding ethical standards.
How often has the Standards Committee, or its Chair, met the other party group leaders to discuss ethical issues in the last 12 months?
None
Does the Standards Committee, or its Chair, have regular access to the Monitoring Officer? How regular?
The Monitoring Officer attends all meetings of the Standards Committee and its sub-committees. In addition, the Chair is briefed by the Monitoring Officer and other officers who support the committee (from Governance Services and Corporate HR) before these committee meetings.  The Monitoring Officer accompanies the Chair to his meetings with the Leader of the Council and the Chief Executive, and they work together on other projects such as the recruitment of standards committee members, ethical audits, and issues relating to Parish Councils and are in regular contact via telephone and email.
How many times in the last year has the Standards Committee Chair been invited to address a full authority meeting?
None
Does the Monitoring Officer sit on the Corporate Management Team, or equivalent?
Yes
Has an Executive Member (or senior Member where appropriate) been given portfolio responsibility for standards?
Yes

## Complaints

Can the public access information, from the authority website, about how to make a complaint against a Member?
Yes
What else has the authority done to advertise the complaint process on Member conduct to the general public?
A notice was placed in the major local newspaper, and in all Council buildings with details of telephone numbers and where to access the complaints form.  A letter was also sent to all Citizen's Advice Bureaux in the Leeds area asking them to put up a notice and explaining the process to them should they be asked to assist a member of the public with such a complaint.  Customer Services Officers have also been provided with details of the new process so that if any complaints are referred to them involving Councillors they can advise and redirect the member of the public accordingly.
Has the authority sought feedback from any of those people involved in an allegation

of Member misconduct about their satisfaction with the Member conduct complaints process?

Yes

How does the authority communicate the outcome of investigations into Member conduct to:

- a) Members
- b) Officers
- c) The general public

We have never communicated our findings (except when the Standards Committee conducted a full hearing in May 2006) as all investigation reports and meetings considering those reports have been classified as exempt by the Committee.

We have not yet had any investigations completed under the new system. However when this happens, the outcome would be communicated through the minutes of the Assessment Sub-Committee who receive the final investigation report and decide whether to refer the matter to a Standards Committee Hearing (the minutes of the Sub-Committees are anonymised but published on the Council's website and received by Full Council and the full Standards Committee). If there was a finding of no failure the subject Member would have the choice of whether the Committee should publish a summary of their findings in the local press. If the matter went to a hearing and the Member was found to have breached the Code, a notice of the outcome would be placed in the local newspaper.

In allegations of Member conduct which have NOT resulted in investigation, such as those allegations which have not been referred for investigation and those which have resulted in other action, how does the authority communicate the outcome to:

- a) Members
- b) Officers
- c) The general public

The outcome would be communicated through the minutes of the Assessment / Review Sub-Committee (which are anonymised but published on the Council's website and received by Full Council and the full Standards Committee), and through the publicly available case summaries. These are available for inspection in the Council's offices.

## Member Officer Relations

Does the authority have a protocol for relations between Members and officers?

Yes

If yes, how is the protocol communicated to officers and Members?

The protocol appears in the Constitution. Training on the Code of Conduct for Members makes reference to the protocol, especially with regard to bullying and treating officers with respect. This includes face to face training, e-learning and the pocket guides to the local codes and protocols.

Training on the Members' Code of Conduct for officers within Democratic Services makes reference to the Protocol, in light of their large amount of contact with Members. The Corporate Induction for all new staff also makes appropriate mention to the local codes and protocols. For staff who require more in depth training, there is also a training package on ethical governance available on request (through the appraisal process).

What is the mechanism for reviewing the effectiveness of the protocol?

The protocol is reviewed annually by the Standards Committee. A report is produced by the Monitoring Officer which includes feedback on the following issues:

- The number of complaints made about breaches of the Protocol and the outcomes of these complaints;
- Whether the Protocol has been considered as part of Member/Officer induction training;
- The level of awareness of the Protocol amongst Members and Officers;
- External inspection reports in respect of any relevant issues arising; and
- Changes to legislation which may affect the provisions of the Protocol.

The report sets out whether the arrangements set out in the Protocol have been complied with and includes any proposals for amendments in the light of any issues that have arisen during the year.

Officers are also consulted on whether any amendments should be made through the Trade Union representatives and through Human Resources. Members are consulted on possible amendments to the Protocol through the Group Whips (or individually where appropriate).

Does the authority include training on the importance of high standards of behaviour in the inductions of new Members and officers?

Yes

Does the authority have informal mechanisms for dealing with Member/officer and Member/Member disputes?

Yes

If yes, please provide details of any mechanisms and , if possible, provide an example where this has been used.

Allegations of breaches of the local codes and protocols by Members can be referred to the Monitoring Officer for potential referral to the Standards Committee, the relevant Leader or Whip of the Political Group. Unless the breach could be a breach of the Members' Code of Conduct which would be referred to the Assessment Sub-Committee. As part of this year's review of the Standards Committee Procedure Rules we are looking into whether the assessment alleged local code breaches should be treated in the same way as alleged breaches of the Code of Conduct.

Allegations of breaches by officers are referred to the relevant Director for consideration. Action may include disciplinary investigation.

## Registering Member interests

Is the Member Register of Interests accessible to the public on the authority website?
Yes
Is the Register of Gifts and Hospitality available to the public on the authority website?
Yes
What does the authority do to signal to Members the importance of declaring interest and completing the Register of Interests and Register of Gifts and Hospitality?
<p>Members are reminded of the need to check their register of interests (which includes a category about gifts) every three months. They are sent general reminders and also targeted reminders which focus on a particular issue, such as election payments or interests in property. Members also check the current Register entry as part of the Personal Development Plan review meetings and are asked whether they need assistance with this area.</p> <p>Officers also check their register of interests against the declarations of interests Members have made at meetings to ensure that all interests which fall into the correct categories are registered. If any interests are not included the Member is sent an email highlighting the discrepancy and asking whether they wish to amend their entry.</p> <p>Officers who clerk meetings of committees also check their register entries against agenda items to look for potential personal interests. If any are identified, Members are sent an aide memoir detailing the interest and how it has arisen. They are also provided with a reminder as to when a personal interest can become a prejudicial interest and what corresponding action they should take. If a potential prejudicial interest is identified but is not subsequently declared this is notified to the Head of Governance Services who pursues this with the Member concerned.</p> <p>Members are reminded every three months that they should register gifts and hospitality they receive in their capacity as Members. However, officers have developed a separate system for the Leader and the Lord Mayor where officers who support those Members forward details on their behalf of their civic engagements and personal gifts which have been received in order to be registered.</p> <p>Members are also reminded of the need to declare and register interests through training on the Code of Conduct. Exercises are used which include an example register which Members need to complete during the training so that officers can highlight common mistakes or omissions.</p>

## Officer conduct

Does the authority have a Code of Conduct for senior officers?
Yes
Does the authority compile a register of senior officers' interests?

Yes
Is the register of senior officers' interests available to the public on the authority website?
No
Does the authority compile a register of senior officers' gifts and hospitality?
Yes
Is the senior officers' register of gifts and hospitality available to the public on the authority website?
No

### Optional questions

On what issues, if any, would you appreciate more support or guidance from the Standards Board for England?
<p>Issues regarding the local assessment process, such as clarity over how much information can be provided to subject Members and at what stages, the records of meetings which should be kept, and the scope remaining for informal resolution of complaints.</p> <p>It would also be helpful to have more guidance on the types of other action which are appropriate and the way in which the decision to take other action should be reached i.e. use of adjournment. There also seems to be a lot of confusion in other authorities regarding how the Monitoring Officer should report back to the Standards Committee on the outcome of the other action, in terms of whether the Monitoring Officer should report back to the full Committee or a Sub-Committee and whether it should constitute the same membership as the original Sub-Committee. There is also a lot of confusion regarding how far the notice and publicity requirements apply to such meetings when they are considering the Monitoring Officer's report.</p>
<p>The Standards Board for England, the Improvement and Development Agency and the Audit Commission have developed a toolkit that authorities can use to assess the ethical governance arrangements in their authority, and also to identify improvements.</p> <p>Has your authority used the Ethical Governance Toolkit?</p>
Yes