

Governance Matters



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Issue 23

November 2009

Welcome to the November issue of Governance Matters.

Our regular in-depth feature 'Spotlight on..' focuses on decision-making at Leeds City Council, and looks at delegation schemes and how decisions made by officers should be recorded.

We also take a look at what the governance committees have been doing since September.

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...

Standards for England Annual Assembly 2009

Standards for England's Annual Assembly was held on 12th and 13th October, and the theme of this year's conference was 'Bringing Standards into Focus'. The Annual Assembly provided an opportunity for delegates to share good practice examples and talk through their experiences of managing the local standards framework. Nicolé Jackson, Assistant Chief Executive (Corporate Governance) co-presented a 'Managing Investigations with Confidence' workshop, and Mike Wilkinson, Chair of the Standards Committee co-presented a workshop on highly effective standards committees. Further information is available at www.annualassembly.co.uk

Training on Decision-making

Chief Officers Resources and Strategy and key Directorate support staff have recently completed training on the Council's decision-making processes. The aim of this training is to make sure that everyone knows who has the authority to make decisions and how these decisions should be recorded. It is planned that the training will be rolled out by each Directorate for staff in their area in the coming months.

Sub-delegation schemes

All sub-delegation schemes are now available to view or download on the intranet. They can be found in the "Corporate Governance" section of the site, or alternatively by going to the A-Z and looking under "S".

Spotlight on...

Delegated decision-making in Leeds

Decisions about how the Council is run are not only made by Elected Members. Certain officers of the Council also have delegated authority to take decisions. These may be Council functions or Executive functions, or both. Each year at the Annual Meeting, Full Council decides what Council functions will be delegated to officers. The Leader of the Council decides which Executive functions to delegate.

Concurrent delegations

Decisions may be delegated to both a Director and a Chief Officer. These are known as **concurrent delegations**. This means the Chief Officer can make the decision, and is directly accountable to the Council or to the Executive Board for the decision. [Part 3, Sections 2c and 3e](#) of the Constitution set out what executive and council functions have been delegated to which officer.

Sub-delegations

Directors and Chief Officers may **sub-delegate** decisions to other officers of a suitable level. These officers are then able to make some decisions. The relevant Director or Chief Officer's sub-delegation scheme lists the type of decisions and names the post title of the person who is authorised to make that decision on the Director or Chief Officer's behalf. All of the sub-delegation schemes are available on the [intranet](#). It is important that Directors and Chief

Officers keep their scheme up to date and inform Governance Services if there are any changes.

REMEMBER

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 or the relevant Executive Member can also request that the Executive Board take the decision themselves.

Delegated Decision Notices

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. The notice has recently been amended so that officers now have to reference the sub-delegation scheme the decision is being made under. Governance Services will be checking notices when they are submitted for processing to ensure that decisions are being made under the right authority.

All Delegated Decision Notices can be viewed on the Council's [website](#).

CAUTION

When making a key or major decision, make sure the decision is not implemented until after the 5-day call-in period has elapsed.

Corporate Governance and Audit Committee

30th September 2009

In September, the Committee considered the Local Government Ombudsman's Annual Letter. The Committee also received the report from the Council's External Auditors (KPMG) on the 2008/09 accounts. The Council's Use of Resources score was also considered as part of this.

LOCAL GOVERNMENT OMBUDSMAN'S LETTER

The Committee received a report on the Local Government Ombudsman's Annual Review 2008/09 and considered the Council's performance during the year.

The Committee requested further reports be received looking into responses to complaints of anti-social behaviour, and assurances in relation to the publication of the Council's complaints system and the role of the Ombudsman.

AUDITED STATEMENT OF ACCOUNTS

The External Auditor's report on the Accounts was received.

The Committee resolved that the Chair sign the management representation letter on behalf of the Committee. The members also discussed the changing financial landscape and requested a further report on the response of the Council to this.

12th November 2009

Items to be considered in November include:

- Bid Rigging in the Construction Industry.
- Leeds City Region Governance.

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General Purposes Committee

1st and 20th October 2009

In October, the Committee considered the final proposals for the Polling District Review and for the Council's new executive arrangements.

REVIEW OF POLLING DISTRICTS AND POLLING PLACES: FINAL PROPOSALS

Further to the publication of its initial proposals, the Committee considered the final proposals for the review of polling districts and polling places. Members particularly discussed those proposals lacking all party agreement, and resolved to confirm thirteen of these as final proposals.

The proposals that received no further representations or supporting representations only, and those with all party agreement, were also confirmed as final proposals.

EXECUTIVE ARRANGEMENTS: FINAL PROPOSALS

Following the publication of the Council's proposals for its new executive arrangements, the Committee was asked to make recommendations to full Council about the proposals and the subsequent amendments required to the Constitution.

In accordance with the initial proposals, the Committee resolved to recommend to full Council to adopt the 'new style' Leader and Cabinet form. Full Council will consider the proposals at a specially convened meeting to be held on 18th November 2009. The new arrangements will come into effect three days after the local elections in 2010.

Standards Committee

15th October 2009

In October, the Committee considered reports on Politically Restricted Posts and a Procedure for External Code of Conduct Investigations.

POLITICALLY RESTRICTED POSTS

The Committee considered a report addressing the issues raised at its previous meeting in relation to the procedure for Politically Restricted Posts (PRPs).

The Committee particularly discussed the need to be as clear as possible when recruiting for restricted posts, and asked the Chief Officer (Human Resources) to consider whether all job adverts should state that a post is restricted (where applicable).

PROCEDURE FOR EXTERNAL CODE OF CONDUCT INVESTIGATIONS

The Committee was asked to provide comments on a draft procedure for External Code of Conduct Investigations, which will help to ensure that such investigations are carried out in a consistent and timely manner, and to the standard required by the Council.

Members of the Committee resolved to note the procedure, and recommended the addition of the timescales to be adhered to by the Head of Governance Services.

16th December 2009

Items to be considered in October include:

- Review of Local Assessment Procedures; and
- Standards Committee Media Protocol.

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Corporate Governance Board

3rd September, 5th October and 5th November 2009

The Board received reports concerning:

- Review of the Code of Corporate Governance;
- Review of Governance Arrangements for PPP/PFI Projects;
- Partnership Governance; and
- Performance Management and Data Quality.

The Board has also held 2 special workshops to review the Code of Corporate Governance.

Items to be considered at future meetings include:

- A report back on the cost/benefit analysis of the use of covert surveillance;
- A report on the processes involved in delegated decision making; and
- A report on the review of Local Codes and Protocols to assess their relationship with the Members' Code of Conduct.

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 results of the consultation on the Members' Code of Conduct and the potential changes arising from this.

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 50261 or email us at

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