

Introduction

This guide will help you understand:

- **who** makes decisions for the authority; and
- **how** we make decisions.

Councillors and officers at Leeds City Council make decisions every day. Because we are such a large and diverse organisation, we make many different types of decisions. The impact of a decision on the City's residents will determine how we make the decision.

To make sure we make decisions in the right way, there are rules setting out who can make which decisions, and how these decisions are made. These rules are set out in the constitution.

Councillors

The people of Leeds elect 99 [Councillors](#) to run the authority. The authority's area is divided into 33 wards, and there are 3 Councillors for each ward. Councillors usually serve for four years.

All 99 Councillors making decisions together are known as full Council.

Full Council

Some decisions made by the authority are, by law, the responsibility of full Council. These are called **council functions**. For example, full Council approves the authority's budget, and its most important policies.

Full Council may also appoint committees (smaller groups of Councillors) to make decisions on its behalf. Some important decisions, such as approving the Council Business Plan, cannot be delegated to committees. However most regulatory functions, such as planning and licensing are carried out by committees on behalf of full Council.

The **Terms of Reference** explain the role and decision making powers of each Committee. These are all contained in [Part 3 Section 2B of the Constitution](#).

- There are 10 **Area Committees**, each covering a different part of the city. Area Committees improve, co-ordinate and influence services at a local level. They also act as a focal point for community involvement. Every Councillor is on the Area Committee which covers their ward.
- **Corporate Governance and Audit Committee** considers the Council's arrangements for its accounts, considers external and internal audit arrangements, makes sure the Council's Corporate Governance requirements are met and makes representations to external agencies about matters relating to codes of conduct.

- **Development Plan Panel** is an advisory Committee which makes recommendations to the Council about the Council's Unitary Development Plan and the Local Development Framework.
- **Employment Committee** deals with employment issues such as appointment of, disciplinary action against, and grievances about senior officers such as the Chief Executive and Directors.
- **General Purposes Committee** makes recommendations to full Council about changes to the Constitution. It also makes important decisions on behalf of the Council which are not delegated to any other committee, such as carrying out reviews of polling districts.
- **Licensing Committee** grants, changes or revokes licenses, in relation to matters such as alcohol, entertainment and gambling. The Licensing Committee has sub-committees which are made up of 3 Councillors. These usually hold hearings where the Council has received objections to specific licenses.
- **Member Management Committee** appoints Councillors to represent the Council on outside bodies, including the Council's key and strategic partnerships. The Committee also represents Councillors about issues which directly affect them, like their training and development, and accommodation.
- **Plans Panels** mainly make decisions on planning applications, the use of common land or town or village greens, and public rights of way. There are 3 Plans Panels in Leeds. They may also meet together a couple of times a year, as the Joint Plans Panel.
- **Standards Committee** has an overview of how Councillors and Officers behave when they are carrying out their work. This overview includes the conduct of parish and town Councillors. The Standards Committee (through its sub-committees) also has the power to consider complaints made about Councillors. If a Councillor is found to have done something wrong, the Committee will impose sanctions.

Executive Board

Full Council appoints the Leader, who is one of the Councillors. The Leader serves for 4 years (or less if they stop being a Councillor before then).

The Leader chooses other Councillors to be part of the Cabinet. These are called [Executive Members](#). They can be from any political group or groups – it is up to the Leader to decide who to choose. The Leader and Cabinet acting together are known as the **Executive Board**.

The Leader may give “portfolios” to some or all Executive Members, outlining services for which they have political responsibility. A description of their portfolios, their responsibilities, and how these interact with the roles of the Directors and Chief Officers of the Council is contained in Part 3 Section 3B of the Constitution. This section also explains the role of Deputy Executive Members.

The Executive is responsible for any decision which is not the responsibility of full Council. Most of the decisions made on behalf of the authority are the responsibility of the Executive. These are called **executive functions**. However, the Executive must make decisions in accordance with the budget and policies which have been approved by full Council.

As with full Council, the Leader may appoint committees (small groups of Executive Members) to make decisions on behalf of, or advise the Executive:

- **Area Committees** carry out some executive functions, including decisions relating to community centres, neighbourhood wardens and CCTV.
- **Executive Board (Access to Information Appeals Committee)** decides whether or not a Councillor or a member of the public should be allowed to see a report or document which has been kept confidential following an appeal.

You can find details of all full Council, Executive Board and Committee meetings (including membership, meeting dates, agendas, reports and minutes) on the [Council's website](#).

Types of executive decision

Decisions taken about executive functions are defined as Key, Major, Significant Operational or Administrative. The type of decision is based on how many people it will affect, and/or how much money we will spend or save from the decision. How we make the decision will depend on the type of decision it is.

A **key decision** is one which results in us spending or saving over £250,000 each year; or, which is likely to have a significant effect on communities living or working in an area of two or more wards.

A **major decision** is one which results us spending or saving over £100,000 each year; or, which is likely to have a significant effect on one ward.

A **significant operational decision** is one which fits the definition set out in the guidance notes in [Part 3 of the Constitution](#), for example where the decision proposes an alteration to the standard charges which the authority makes for any of its services.

An **administrative decision** is a decision which is within an approved budget, not in conflict with the budget and policy framework or other approved policies, and does not raise new policy issues.

There is a set procedure for decisions which are classed as key decisions. For example, the decision must be placed on the **Forward Plan** and only be implemented once the date for **call-in** has passed.

The Forward Plan shows the key decisions the Executive expects to take in the next 4 months and is [published on the website](#). Occasionally a key decision may need to be made urgently, which means it can not be entered on to the Forward Plan.

Overview and Scrutiny

We have **overview and scrutiny committees** to review and scrutinise decisions taken by (or on behalf of) the Executive and full Council. Our overview and scrutiny committees are called [Scrutiny Boards](#), and each Scrutiny Board scrutinises specific services.

In relation to its specified services, each Scrutiny Board:

- reviews decisions made by full Council or the Executive (including decisions made on their behalf by committees or officers); and
- makes recommendations to full Council or the Executive.

Since a key role of Scrutiny Boards is to hold the Executive to account, Executive Members cannot be on a Scrutiny Board.

Scrutiny Boards carry out **inquiries** into particular matters. Once an inquiry has been completed, the Scrutiny Board will consider its final report and any recommendations that it is making. The Council or Executive Board must respond to the report and say what action it will take in response to the recommendations.

A Scrutiny Board can stop the Executive from implementing important decisions, until they have been reviewed by the relevant Scrutiny Board. This is known as the **call-in** process. If a decision has been called-in, it cannot be implemented until the relevant Scrutiny Board has completed its review.

A Scrutiny Board may call in:

- decisions made by the Executive Board;
- executive decisions made by Area Committees; and
- Key and Major Decisions made by officers.

When a decision is made that is open to call-in the decision does not come into force until 5 days have passed. During these 5 days, Councillors who are **not** on the Executive Board and are **not** on the relevant Scrutiny Board can ask for a decision to be called-in. The Scrutiny Board will then decide whether the decision should be implemented, or whether the decision-maker should reconsider it.

Officers

To help Councillors run the city, the authority employs staff, known as officers. Officers give advice to Councillors, implement decisions that Councillors have made, and deliver services.

The most senior officer of the authority is known as the **Chief Executive**. There are a number of other senior officers, most known as Directors, who are responsible for particular services.

Officer Delegations

Full Council may authorise officers to make decisions on its behalf (council functions). The Leader may also authorise officers to make decisions on behalf of the Executive (executive functions).

The authority's scheme of delegation sets out which officers have authority to make decisions, and which decisions they are authorised to make. The scheme of delegation is contained in [Part 3 of the Constitution](#). Each officer has two sets of delegations, one in relation to council functions and the other in relation to executive functions.

However, an officer can decide not to take a decision and can refer it to the relevant Council Committee, or the Executive Board. Sometimes the scheme requires an officer to refer a decision to the relevant committee in particular circumstances, for example when objections are received to a particular licensing application.

Concurrent delegations

Some Chief Officers also have functions delegated to them directly by Full Council (for council functions) or the Leader (for executive functions). This is called a concurrent delegation – a delegation to two officers at the same time. Under a concurrent delegation, a Chief Officer may make decisions in their own right, and is accountable for these decisions.

However, the appropriate Executive Member or the relevant Director can direct a Chief Officer to refer a decision to the Executive Board or to the Director. If the decision is classed as a “key” or “major” decision a Chief Officer **must** consult the Director before taking the decision.

An officer who is authorised to make decisions under the authority's scheme of delegation, may, in turn, authorise other officers of suitable experience and seniority to make these decisions on their behalf. This is known as **sub-delegation**. Each Director (and each Chief Officer with concurrent delegations) has a sub-delegation scheme. This sets out which officers may take decisions on their behalf and which decisions each officer may take.

Delegated Decision Notice

Once an officer has made an executive decision, they must record the decision on a Delegated Decision Notice, unless the decision is administrative. This notice is then made available on the [Council's website](#). Officers also record and publish some Council decisions.

The Delegated Decision Notice is normally accompanied by a report giving the background to the decision. The notice and the report set out who is making the decision and under what authority, and reasons for the decision.

Other procedures

When making decisions, Councillors and officers have to follow certain rules or procedures. These rules set out the processes that must be followed, and cover:

- Procedures for meetings;
- Budget and policy framework;
- Access to Information;
- Appointments; and
- Financial and contracts procedure rules.

All Procedure Rules are available in [Part 4 of the Council's Constitution](#).

Conduct

There are a number of codes and protocols in the constitution which set out how Councillors and officers should behave towards each other and the public, and when making decisions.

The **Members' Code of Conduct** sets out how Councillors must behave when they are acting in their role of Councillor. Councillors must declare any personal, or personal and prejudicial interests they might have in a decision being made by the authority. In some cases Councillors may also have to withdraw from the room and not take part in the discussion, nor vote on the matter. Some of their personal interests also need to be recorded in the Register of Interests, including any gifts they have received in their role as a Councillor worth £25 or more.

The **Officer Code of Conduct** sets out how employees of the Council are expected to behave, and is part of their terms and conditions of employment. It covers things such as gifts and hospitality; being politically neutral; and declaring personal interests when making decisions. Officers also have to complete a register of interests recording their financial and other interests.

The authority has also adopted a set of local codes and protocols which include the following:

- Protocol on Member/Officer Relations
- Roles of Members and Officers in Decision Making
- Codes of Practice for the Determination of Planning and Licensing Matters

All the Codes and Protocols are available in [Part 5 of the Constitution](#).