

ESSENTIAL REFERENCE PAPER 'F'

Terms of Reference for the Standards Committee and Standards Sub-Committee

STANDARDS COMMITTEE	
<p>Appointed by:</p> <p>The Council, in accordance with the provisions of S101 & S102 Local Government Act 1972 and Regulations made thereunder.</p> <p>Appointment of a Standards Committee shall be by full Council</p>	<p>Number of Members:</p> <p>4 elected Members appointed proportionally (of whom not more than 1 Member may be a Member of the Executive)</p> <p>1 Town Councillor and 2 Parish Councillors to be co-opted as voting members</p> <p>4 Co-Opted independent Members ("External Members")</p>
<p>Chairman and Vice-Chairman appointed by:</p> <p>1. The Chairman will be elected by the Committee and shall be an External Member.</p> <p>2. There will be one Vice-Chairman, who shall be elected by the Committee and shall be an External Member</p> <p>3. The Vice-Chairman shall deputise for the Chairman in the latter's absence.</p> <p>4. In the absence of both the Chairman and Vice-Chairman the Committee shall elect an External Member as Chairman</p>	<p>Political Proportionality:</p> <p>Rules of political proportionality apply.</p> <p>Substitutes:</p> <p>Substitutes are not permitted for the Standards Committee.</p> <p>Frequency:</p> <p>At least quarterly or otherwise as required.</p> <p>Venue:</p> <p>As set out in the approved Calendar of Meetings.</p>

<p>Independent Person:</p> <p>Appointment approved by full Council in accordance with the provisions of Section 28(6) and (7) of the Localism Act 2011</p>	<p>The Independent Person:</p> <p>The Independent Person be invited to attend the meetings of the Standards Committee and its Sub-Committees as an observer.</p>
<p>Quorum:</p>	<p>At least 1 Member from each of the three above categories of memberships of the Committee</p>

Terms of Reference

The Standards Committee will have the following roles and functions as an advisory committee:

- (a) Advising and assisting the Authority in the promotion and maintenance of high standards of conduct by Members of the Authority;
- (b) Advising and assisting Town and Parish Councils and Councillors to maintain high standards of conduct and to make recommendation to those Councils on improving standards or actions following a finding of a failure by a Town or Parish Councillor to comply with the Code of Conduct
- (c) to progress complaints on behalf of a Town or Parish Council
- (d) advising the Authority and the Town and Parish Councils on the adoption or revision of the Members' Code of Conduct;
- (e) to receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the Authority's assessment criteria
- (f) receiving reports from the Monitoring Officer and assessing the operation and effectiveness of the Members' Code of Conduct;
- (g) assisting Councillors to observe the Members' Code of Conduct;
- (h) advising the Authority upon the contents of and requirements for codes/protocols/other guidance and procedures relating to standards of conduct within the Authority
- (i) maintaining oversight of the Authority's arrangements for dealing with complaints
- (j) informing the relevant council(s) of issues arising from the determination of Code of Conduct complaints.
- (k) Appointment of a Sub-Committee to carry out assessments and to conduct hearings
- (l) Appointment of ad hoc and informal Sub-Committees for any other purpose

germane to the Committee's terms of reference.

SUB-COMMITTEE for the purposes of assessing complaints and conducting hearings

Appointed :

The Sub-Committee is convened ad hoc from the membership of the parent Committee, with regard to the importance both of convening meetings with as little delay as is practicable and of giving as many members as possible experience of casework.**Membership:**

All available external members of the Standards Committee subject to a minimum of 2 being present;

for assessments/hearings relating to a member of the Authority: any 1 available town/parish member of the Committee;

for assessments/hearings relating to a member of a town/parish council: any 1 available member from the Authority.

Chairman appointed by:

The Chairman shall be elected by the Sub-Committee at each meeting.

Political Proportionality:

No

Substitutes:

None.

Frequency:

As and when required.

Venue:

To be determined by the Monitoring Officer.

Quorum:

At least 3 Members

Independent Person:

Appointment approved by full Council in accordance with the provisions of Section 28(6) and (7) of the Localism Act 2011

The Independent Person:

The Independent Person to be invited to attend the meetings of the Standards Sub-Committee

Terms of Reference

To assess, or to conduct a Hearing into, an allegation that a Member or Co-opted Member has breached the Code of Conduct adopted by the council of which he or she is a member.

Following an Assessment, to make one of the following recommendations to the Monitoring Officer:

- (a) That no further action be taken
- (b) That specified action be taken to attempt informal resolution of the complaint
- (c) That the complaint be formally investigated.

Following a Hearing, to make one of the following recommendations to the subject Member's council :

- (d) That the Member has not failed to comply with the Code of Conduct and no further action needs to be taken in respect of the matters considered at the Hearing
- (e) That the Member has failed to comply with the Code of Conduct but that no further action needs to be taken in respect of the matters considered at the Hearing
- (f) That the Member has failed to comply with the Code of Conduct and that a sanction and/or an informal resolution be imposed.

The Sub-Committee may recommend any action or combination of actions available to the Council, or recommend any informal resolution or combination of informal resolutions as are available by law or policy.

After the Hearing the Sub-Committee shall, as soon as reasonably practicable, provide written recommendations and the reasons for its recommendations.