

## **Section 7 – The Standards Committee**

7.0 For the purpose of this section, 'Members' includes Town and Parish Councillors.

### **7.1 Membership and meeting arrangements**

7.1.1 The Committee, consisting of no more than ten members (and up to three substitutes), will be appointed annually by the Council and its membership will include:

- (a) Seven Members appointed proportionately; and
- (b) A maximum of three Town or Parish Councillors co-opted as non-voting members.

7.1.2 The Independent Persons shall be invited to attend the meetings of the Standards Committee.

7.1.3 Meetings of the Committee shall be programmed in each year. There shall be two Ordinary Meetings of the Committee each year. Meetings may be cancelled due to lack of business, or additional meetings may be arranged as necessary, in consultation with the Chairman of the Committee.

### **7.2 Quorum**

7.2.1 The quorum for the Committee shall be four voting members.

### **7.3 Appointment of Chairman**

7.3.1 The Committee Chairman will be appointed by the Council at its annual meeting. The Vice-Chairman will be appointed by the committee at its first meeting of the civic year.

## **7.4 Terms of Reference**

7.4.1 The Standards Committee has the following functions:

- (a) to promote and maintain high standards of conduct of Members and Co-opted Members of the Council;
- (b) to advise and assist Town and Parish Councils and Councillors to maintain high standards of conduct and to make recommendations to Town and Parish Councils on improving standards or actions following a finding of failure by a Town and Parish Councillor to comply with its Code of Conduct;
- (c) to manage complaints on behalf of Town and Parish Councils;
- (d) to advise the Council 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 council's assessment criteria;
- (f) to receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members' Code of Conduct;
- (g) to train Members and Co-opted Members to observe the Members' Code of Conduct;

- (h) to assist Members and co-opted Members to observe the Members' Code of Conduct;
- (i) to hear and determine complaints about Members and Co- Opted Members referred to it by the Monitoring Officer;
- (j) to advise the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards or conduct throughout the council;
- (k) to maintain an oversight of the council's arrangements for dealing with complaints;
- (l) to inform the Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints;
- (m) to appoint the Standards Sub-Committee drawn from three members of the Committee which will exercise, on a delegated basis, the functions as set out in the Sub- Committee terms of reference. The committee should reflect Member representation where practicable;
- (n) to exercise the power to consider and grant dispensations to Members where:
  - (i) the number of Members precluded from transacting the business is so great that it would impede the business of the Council, committee or Executive; or

- (ii) the political balance is affected to the extent that it could affect the outcome of a vote relating to the business.

## **7.5 Standards Matters**

- 7.5.1 The Monitoring Officer will present a general report on standards matters at each Committee meeting, updating the Committee on the workload of the Monitoring Officer and current standards issues

## **7.6 Standards Sub-Committee**

### 7.6.1 Terms of Reference

- (a) To consider assessment and investigation reports in respect of Code of Conduct complaints that are referred to it by the Monitoring Officer;
- (b) To conduct a hearing into an allegation that a Member or co-opted Member of the Council or Town/Parish Council has breached the relevant code of conduct. At such a hearing, the Member against whom a complaint has been made may respond to the investigation report. Following the hearing the sub-committee can make one of the following findings:
  - (i) 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;
  - (ii) that the Member *has* failed to comply with the Code of Conduct but no further action needs to

- be taken in respect of the matters considered at the hearing; or
- (iii) that the Member *has* failed to comply with the Code of Conduct and a sanction and/or an informal resolution should be imposed.
- (c) The Sub-Committee may impose any action or combination of actions available to it, or impose any informal resolution or combination of informal resolutions as are available to it either by law or policy.
- (d) After making a finding the Sub-Committee shall, as soon as reasonably practicable, provide written notice of its findings and the reason for its decision to the Member and the complainant.
- (e) To apply the council's Standards Complaints Procedure and Complaints Standards Sub-Committee Procedure to hearings before the Sub-Committee.
- (f) All Members who sit on a Standards Sub-Committee must receive mandatory training.

## **7.7 Membership and meeting arrangements**

- 7.7.1 Three voting Members of the Standards Committee shall be appointed to a Standards Sub-Committee (which should aim to achieve cross political party representation wherever possible).
- 7.7.2 The Chairman shall be elected by the Sub-Committee at each meeting.
- 7.7.3 The Independent Person to attend the meetings of the Standards Sub-Committee dealing with hearings into

allegations of misconduct.

- 7.7.4 A Sub-Committee will be convened as and when required as determined by the Monitoring Officer.