

APPENDIX 'B6'

Standards Committee Sub-Committees

A. Terms of Reference of the Assessment Sub-Committee

Being mindful of the relevant legislation and any guidance issued by the Standards Board for England with regard to initial assessment:

1. The Assessment Sub-Committee will, subject to paragraph 2 below, initially assess all written complaints received by the Council's Monitoring Officer on the appropriate Complaints Form for such purposes or such written complaints submitted by a letter/e-mail/fax setting out all the relevant information required on such Complaints Form.
2. The Assessment Sub-Committee will only have jurisdiction to consider written allegations that an elected or co-opted Member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct for Members.
3. The Assessment Sub-Committee is empowered to do one of the following:
 - i) decide that no action should be taken in respect of the allegation;
 - ii) ask for additional information from the complainant on the allegation before concluding the initial assessment;
 - iii) if the allegation is likely to be reasonably substantiated and it is in the public interest to warrant Council funds being spent on a local investigation, refer the allegation to the Council's Monitoring Officer, with an instruction that s/he arranges for an investigation of the allegation or directs that s/he arranges training, conciliation or such other appropriate action as might be permitted by the relevant legislation;
 - iv) if the matter is of a serious nature (for example, there is a potential conflict of interest with the Standards Committee or the potential sanction(s) available to the Standards Committee might not be sufficient for the Standards Committee to deal with), refer the allegation to the Standards Board for England for investigation; or
 - v) where the allegation is in respect of a person who is no longer a member of the Council, but is a member of another relevant authority (as defined in Section 49 of the Local Government Act 2000), refer the allegation to the Monitoring Officer of that other authority,

and shall authorise the Monitoring Officer to take all reasonable steps to implement its decision(s), with reasons, and to notify the person making the allegation and the member concerned of that decision.

4. In the event of there being a local investigation under paragraph 3(iii), the Assessment Sub-Committee shall determine, with reasons, whether:
 - i) it accepts the Monitoring Officer's finding of no failure to observe the Code of Conduct;
 - ii) the matter should be referred for a hearing of the Standards Committee; or
 - iii) the matter should be referred to the Adjudication Panel for determination.

5. The Assessment Sub-Committee shall also consider under Sections 1 and 2 of the Local Government and Housing Act 1989: -
 - (a) any application received from any officer of the Council for exemption from political restriction in respect of the post held by that officer and may direct the Council that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Council under Section 2(2) of that Act; and
 - b) upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Council under Section 2(2) of the 1989 Act, and may direct the Council to include a post in that list.

6. **Composition** - The Assessment Sub-Committee shall comprise of 3 Members. One shall be an independent Member of the Standards Committee (and Chairman of the Sub-Committee), one elected Member of the Council and a Parish/Town Councillor.

7. **Quorum** - The quorum for a meeting of the Assessment Sub-Committee shall be all 3 Members.

8. **Frequency of Meetings** - The Assessment Sub-Committee will programme a meeting for each month, but will only meet if it needs to initially assess an allegation at that meeting.

B. Terms of Reference of the Review Sub-Committee

Being mindful of the relevant legislation and any guidance issued by the Standards Board for England with regard to initial assessment:

1. Upon the request of a person who has made an allegation that a Member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct, the Review Sub-Committee will convene to review a

- decision of the Assessment Sub-Committee that no action is taken in respect of that allegation.
2. The Review Sub-Committee is empowered to take all decisions as per paragraph 3 of the terms of reference of the Assessments Sub-Committee.
 3. **Composition** - The Review Sub-Committee shall comprise of 3 members of the Standards Committee who were not members of the Assessment Sub-Committee. One of the Members of the Review Sub-Committee shall be an independent Member of the Standards Committee (and Chairman of the Sub-Committee), one elected Member of the Council and a Parish /Town Councillor.
 4. **Quorum** - The quorum for a meeting of the Review Sub-Committee shall be all 3 members.
 5. **Frequency of Meetings** - The Review Sub-Committee shall meet as and when required to review any decision of the Assessment Sub-Committee within 3 months of the receipt of the request for such a review from the person who made the allegation.

C. Terms of Reference of the Hearing Sub-Committee

Being mindful of the relevant legislation and any guidance issued by the Standards Board for England with regard to initial assessment:

1. In the event that a hearing of the Standards Committee is required, the Hearing Sub-Committee shall be convened to hear and determine any allegation that a Member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct.
2. **Composition** - The Hearing Sub-Committee shall comprise of 3 members of the Standards Committee. One of the members of the Hearing Sub-Committee shall be an independent member of the Standards Committee (and Chairman of the Sub-Committee), one elected Member of the Council and a Parish/Town Councillor.
3. **Quorum** - The quorum for a meeting of the Hearing Sub-Committee shall be all 3 Members.
4. **Frequency of Meetings** - The Hearing Sub-Committee shall meet as and when required to hear and determine any allegation(s) against an elected or co-opted Member of the Council.