

EAST HERTS COUNCIL

STANDARDS COMMITTEE– 16 SEPTEMBER 2009

REPORT BY THE MONITORING OFFICER

CREATION OF CONSIDERATION AND HEARINGS SUB-COMMITTEE

WARD(S) AFFECTED: All

Purpose/Summary of Report

- To consider the creation of a Consideration and Hearings Sub-Committee or alternatively, a Consideration Sub-Committee.

| <u>RECOMMENDATION FOR DECISION: That</u> | |
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| (A) | The Standards Committee establish a Consideration and Hearings Sub-Committee, or |
| (B) | The Standards Committee establish a Consideration Sub-Committee. |

1.0 Background

1.1 The Standards Committee may appoint a Sub-Committee (the Consideration and Hearings Sub-Committee) to consider a monitoring officer's investigation report and hear complaints. Regulation 6(2) of the Standards Committee (England) Regulations 2008 states that the Standards Committee can appoint Sub-Committees to discharge functions under Regulations 17 to 20 and that these Sub-Committees must be chaired by an independent Member. Regulations 17 to 20 relate to consideration of reports by the Standards Committee following a local investigation or an investigation by an Ethical Standards Officer, hearings by the Standards Committee, findings of the Standards Committee and notification of findings of the Standards Committee.

2.0 Report

- 2.1 The Standard Committee has requested that the Monitoring Officer submit a report to the Committee on forming a Sub-Committee to hear complaints. The Sub-Committee could also deal with consideration meetings as well as the hearing of complaints.
- 2.2 Terms of reference are attached at Essential Reference Paper 'B5' (Page 5.4). A procedure for Consideration meetings is attached at Essential Reference Paper 'C5' (Pages 5.5 and 5.6). The Committee already has a procedure for hearings Essential Reference Paper 'D5' (Page 5.7).
- 2.3 This Sub-Committee must be chaired by an independent member of the Standards Committee. When considering matters relating to a Parish Councillor, the Sub-Committee must include a parish representative on the Sub-Committee.

3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A5' (Page 5.3)**.

Background Papers

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|--------------------------------|--------------------------------------|
| Essential Reference Paper 'B5' | Terms of reference |
| Essential Reference Paper 'C5' | Procedure for Consideration meetings |
| Essential Reference Paper 'C5' | Consideration Meeting Flowchart |
| Essential Reference Paper 'D5' | Hearings Procedure Flowchart |

Contact Member: None

Contact Officer
and
Report Author:

Simon Drinkwater – Monitoring Officer Ext: 1405

ESSENTIAL REFERENCE PAPER 'A5'

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| Contribution to the Council's Corporate Priorities/Objectives: | Fit for purpose, services fit for you <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i> |
| Consultation: | None. |
| Legal: | The legal implications are contained in the report. |
| Financial: | None. |
| Human Resource: | None. |
| Risk Management: | The Council needs to ensure that it has an effective Standards Committee and Sub-Committees to achieve good governance and ensure high standards of probity. |