

## **Article 9 - The Standards Committee**

### **9.01 Standards Committee**

The Council meeting will establish a Standards Committee.

### **9.02 Composition**

The Standards Committee will be composed seven councillors (who may not include the Leader or Deputy Leader). The quorum of the Committee shall be 4 councillors.

### **9.03 Role and Function**

The Standards Committee will have the following roles and functions:

- (a) promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
- (b) assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) to agree procedures for dealing with potential breaches of the Members' Code of Conduct
- (e) monitoring the operation of the Members' Code of Conduct;
- (f) advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- (g) liaise with the Independent Person(s) following receipt of a complaint in relation to a potential breach of the Code of Conduct
- (h) dealing with any reports on allegations of breaches of the Council's Code of Conduct that are referred to the Monitoring Officer for investigation and determination
- (i) To establish sub-committees of at least 3 members drawn from the Standards Committee to carry out the roles and functions listed below (quorum to be 2 members)

- (i) to make an initial assessment of any complaint received alleging a breach of the local Code of Conduct by any councillor and to either refer the matter to the Monitoring Officer for investigation or other action or decide that no action should be taken in respect of the complaint;
  - (ii) to determine complaints that councillors or co-opted members have acted in breach of the Member's Code of Conduct, including the imposition of any sanctions available;
  - (iii) to grant dispensations relieving a member from either or both of the restrictions (participating in discussions and in voting)
- (j) to discharge or make arrangements for discharging any of the functions conferred upon the Committee
  - (k) to submit to the Council an annual report on the work of the Committee
  - (l) to grant dispensations relieving a member from either or both of the restrictions (participating in discussions and in voting)

### **Standards Committee**

#### **9.04 Terms of Reference of the Assessment Sub-Committee**

Being mindful of the relevant legislation:-

1. The Assessment Sub-Committee will, subject to paragraph 2 below, conduct an initial assessment of all written complaints received by the County 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 or former Member of the County Council has failed, or may have failed, to comply with the County 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 the County Council's funds being spent on a local investigation, refer the allegation to the County 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 is permitted by the relevant legislation; or
- (iv) [where the allegation is in respect of a person who is no longer a member of the County 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. **Composition** - The Assessment Sub-Committee shall comprise 3 members. There is no requirement for fixed membership or a fixed Chair of the Assessment Sub-Committee.
5. **Quorum** - The quorum for a meeting of the Assessment Sub-Committee shall be 2 members.
6. **Frequency of Meetings** - The Assessment Sub-Committee will meet as and when required to enable it to undertake its initial assessment of any allegations within 20 working days of receipt of an allegation by the County Council.

### **Standards Committee**

#### **9.05 Terms of Reference of the Hearing Sub-Committee**

Being mindful of the relevant legislation:-

1. To determine whether to accept the Monitoring Officer's finding of no breach, to go to a local hearing or to refer the matter to a case tribunal.
2. In the event that a hearing of the Standards Committee is required, the Hearings Sub-Committee may be convened to hear and determine any allegation that a member of the County Council has failed, or may have failed, to comply with the County Council's Code of Conduct, and

determine the appropriate sanction.

3. **Composition** - The Standards Sub-Committee (Hearing) shall comprise of 3 members of the Standards Committee.
4. **Independent Person** – The views of the Independent Person appointed by the authority must be sought, and taken into account before the Hearing Sub-Committee makes its decision on an allegation the authority has decided should be investigated
5. **Quorum** - The quorum for a meeting of the Hearing Sub-Committee shall be 2 members.
6. **Frequency of Meetings** - The Standards Sub-Committee (Hearing) shall meet as and when required to hear and determine any allegation(s) against an elected or co-opted member of the Council.