

Terms of Reference

APPENDIX A

STANDARDS COMMITTEE

Appointed by: The Council, in accordance with the provisions of S101 & S102 Local Government Act 1972 and Regulations made thereunder.

Appointment of a Standards Committee shall be by full Council

Membership: 8 elected Members appointed proportionally (of whom 1 member may be a member of the Executive nominated by the Leader of the Council)

A maximum of 2 Parish Councillors co-opted as on-voting members

Chair and Vice-Chair: The Chair will be appointed by Council.

There will be one Deputy Chair, who shall be appointed by Council

The Deputy-Chair shall deputise for the Chair in his or her absence.

Independent Person: The Independent Person and Reserve Independent Person to be invited to attend the meetings of the Standards Committee

Quorum: At least 3 voting Members of the Committee

Meetings: At least quarterly

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The Standards Committee will have the following roles and functions:

1. To promote and maintain high standards of conduct by Members and Co-Opted Members of the authority;
2. To advise and assist Parish Councils and Councillors to maintain high standards of conduct and to make recommendation to Parish Councils on improving standards or actions following a finding of a failure by a Parish Councillor to comply with its Code of Conduct;
3. To conduct hearings on behalf of the Parish Council;
4. To advise the Council on the adoption or revision of the Members' Code of Conduct;

5. To receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority assessment criteria;
6. To receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members' Code of Conduct;
7. To advise, train or arrange to train Members and Co-Opted Members on matters relating to the Members' Code of Conduct;
8. To assist Councillors and Co-Opted Members to observe the Members' Code of Conduct;
9. To hear and determine complaints about Members and Co-Opted Members referred to it by the Monitoring Officer;
10. To advise the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards of conduct throughout the Council;
11. To maintain oversight of the Council's arrangements for dealing with complaints;
12. To inform Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints;
13. To hear and determine appeals against refusal to grant dispensations by the Monitoring Officer pursuant to S33 of the Localism Act 2011;
14. To deal with applications for exemption from political restriction or to consider whether to include a post within the list of politically restricted posts;
15. To oversee the whistleblowing policy.

STANDARDS SUB-COMMITTEE

All Standards Committee members will form the membership of the following sub-committee.

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

A Parish Councillor must be invited to be co-opted as a non-voting member in dealing with a complaint against a Parish Councillor

The Independent Person or Reserve Independent Person to attend the meetings of the Standards Sub-Committee dealing with hearings into allegations of misconduct

Quorum: 3 voting Members (which should aim to achieve cross political party representation wherever practicable)

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1. To conduct a Hearing into an allegation that a Member or Co-opted Member has breached the Authority's Code of Conduct at which a member against whom a complaint has been made can respond to an investigation report, and the Sub-Committee can following a Hearing, make one of the following findings:
 - (a) 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;
 - (b) 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;
 - (c) That the Member has failed to comply with the Code of Conduct and that a sanction and/or an informal resolution should be imposed;
2. 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 by law or policy;
3. After making a finding the sub-committee shall, as soon as reasonably practicable provide written notice of its findings and the reasons for its decision to the Member and complainant.;
4. To conduct an Appeal Hearing following an appeal by a Member or Co-opted Member against a finding that they have breached the Authority's Code of Conduct and/or against any sanction imposed.

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