SECTION 7

7. The Standards Committee

Introduction

7.1 Trust and confidence in public office holders and institutions are important for the functioning of local authorities. This is particularly true in the case of elected office holders. Our Councillors are expected to live up to high standards of behaviour and demonstrating that they do so underpins that confidence in local democracy. The Standards Committee has an important part to play in promoting and maintaining high standards of conduct.

Composition

7.2 Membership

The Standards Committee is composed of at least fourteen Members. Its membership includes:

7.2.1 At least twelve (12) Councillors appointed proportionately (four of whom may be a member of the Executive nominated by the Leader); and

7.2.2 A maximum of four Parish[11] Councillors co-opted as non-voting members.

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

7.3 Number of Meetings

There shall be two regular meetings of the Committee in each year. In addition, extraordinary meetings may be called from time to time, as and when appropriate. An extraordinary meeting may be called by the Chair of the Committee or by the Proper Officer if they consider it is necessary or appropriate.

7.4 Quorum

7.4.1 The quorum for a meeting of the Standards Committee shall be four voting members of that Committee.

7.4.2 At least one Parish member must be present when matters relating to Parish Councils or their members are being considered. References to Parish Councils include Town Councils.

7.5 Terms of Reference

The Standards Committee will have the following roles and functions:

7.5.1 to promote and maintain high standards of conduct by Members and Co-Opted Members of the authority;

[11] Parish also includes Town and Community Councillors

7.5.2 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;

7.5.3 to conduct hearings on behalf of the Parish Council;

7.5.4 to advise the Council on the adoption or revision of the Members' Code of Conduct;

7.5.5 to receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority assessment criteria;

7.5.6 to receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members' Code of Conduct;

7.5.7 to advise, train or arrange to train Members and Co-Opted Members on matters relating to the Members' Code of Conduct;

7.5.8 to assist Councillors and Co-Opted Members to observe the Members' Code of Conduct;

7.5.9 to hear and determine complaints about Members and Co-Opted Members referred to it by the Monitoring Officer;

7.5.10 to advise the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards of conduct throughout the Council;

7.5.11 to review and approve the Council's arrangements for dealing with complaints about Member conduct (subject to: minor amendments delegated to the Monitoring Officer in consultation with the Independent Person);

7.5.12 to inform Council and the Managing Director of relevant issues arising from the determination of Code of Conduct complaints;

7.5.13 to hear and determine appeals against refusal to grant dispensations by the Monitoring Officer pursuant to s33 of the Localism Act 2011;

7.5.14 to deal with applications for exemption from political restriction or to consider whether to include a post within the list of politically restricted posts.

7.6 Standards matters

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.

7.7 **Standards Sub-committee**

7.7.1 Membership

No more than three (3) voting Members of the Standards Committee shall be appointed to a Standards Sub-Committee.

7.7.2 Quorum

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

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

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

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

7.7.6 Terms of Reference

(i) 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;

(ii) 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;

(iii) 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;

(iv) 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.

7.8 Rules of Procedure and Debate

The Standing Orders contained in Section 4.8 will apply to meetings of the Standards Committee.