

## APPENDIX 2

### ***Standards Committee***

Membership - see Appendix at Section 4.1A.

Functions

These are set out in Article 9.03

Delegations

The Committee shall exercise full powers, duties and functions as set out above.

### ***Assessment Sub Committee***

Membership - see Appendix at Section 4.1A

Functions

To carry out the initial assessment of allegations (Section 57A Local Government Act 2000)

Delegations

Full authority to determine all matters as appropriate

### ***Review Sub Committee***

Membership - see Appendix at Section 4.1A

Functions

To carry out reviews (Section 57B Local Government Act 2000)

Delegations

Full authority to determine all matters as appropriate

### ***Recruitment of Independent Members Panel***

Membership - see Appendix at Section 4.1A

Functions

To assist in the recruitment of independent members by shortlisting and interviewing and making recommendations to the Council

Delegations

To make recommendations to the Standards Committee and Council

### ***Local Determination/Investigation Hearings Sub Committee***

Membership - see Appendix at Section 4.1A.

## Functions

- (a) To undertake local investigation hearings when, following investigation by the Monitoring Officer, the final report concludes that there was a breach of the Code of Conduct or the Standards Committee having considered a final report that concludes there was a no breach, decides there is a case to answer.
- (b) To undertake local determination hearings when Ethical Standards Officers refer completed investigation reports to Monitoring Officers.

## Delegations

Full delegation to determine all matters as appropriate.

### ***Note for Sub Committees:***

- Membership and chairmanship of sub committees do not have to be fixed.
- At least 3 members of the Standards Committee must be present, including at least one elected member and one Independent Member and at least one Parish Councillor representative when considering a matter relating to a member of a Parish Council.
- No member who took part in the initial assessment of an allegation can attend the sub committee meeting that is considering a review of a decision to take no further action on a matter.
- Initial assessment hearings and reviews are excluded from the scope of Part VA of the LGA 1972, although a written summary must be produced recording the main points considered, the conclusion reached and the reason for them. The record to be open to public inspection 6 years after the meeting and given to any Parish Council involved.

## **Article 9 – The Standards Committee**

### **9.01 Standards Committee**

The Council will establish a Standards Committee

### **9.02 Composition**

(a) **Membership.** The Standards Committee will be composed of at least:

- two councillors other than the Leader (no more than one member who is a member of the Cabinet);
- one person who is not a councillor or an officer of the Council or any other body having a Standards Committee (an independent member);
- two members of a Parish Council wholly or mainly in the Council's area (a parish member) who are not also members of the district council.

NB If the membership is more than 3, at least 25% of the members will be independent members.

(b) **Independent members.** Independent members will be entitled to vote at meetings;

(c) **Parish members.** At least one parish member must be present when matters relating to Parish Councils or their members are being considered;

(d) **Chairing the Committee.** An Independent member must chair the committee;

(e) **Quorum.** At least three members (including at least one independent member and at least 1 Parish member when considering parish council matters).

### **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 and co-opted members;
- (b) assisting councillors and co-opted members to observe the Members' Code of Conduct;

- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation and effectiveness of the Members' Code of Conduct;
- (e) advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct;
- (f) granting dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- (g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter which is referred by an ethical standards officer to the monitoring officer;
- (h) setting up procedures for the initial assessment, and review of complaints of alleged breaches of the Codes of Conduct for Members;
- (i) setting up procedures for the investigation of and subsequent report on, alleged breaches of the Codes of Conduct for Members;
- (j) the exercise of (a) to (i) above in relation to the parish councils wholly or mainly in its area and the members of those parish councils;
- (k) advising the Council on the adoption and subsequent review of a Code of Conduct for officers;
- (l) advising, training or arranging to train officers on matters relating to the Code of Conduct for officers;
- (m) advising the Council on the adoption and subsequent review of the Council's Whistleblowing Code;
- (n) dealing with applications from officers for exemptions from political restrictions in respect of their posts;
- (o) where appropriate, issuing direction to include a post in the list of politically restricted posts it maintains;
- (p) advising, following consultation with appropriate parties, on the application of criteria for designation of a politically restricted post;

- (q) responding to consultation from the ombudsman when carrying out investigations in accordance with Section 196 of the LGPIH Act 2007 (commencement No. 2 and Savings) Order 2008.