

### Terms of Reference

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

##### **9.1 Standards Committee**

The Council will establish a Standards Committee and appoint elected members to it annually.

##### **9.2 Composition**

The voting membership of the Standards Committee will comprise:

6 elected members of the Council other than the Leader or any member of the Cabinet.

8 town or parish councillors who are not elected members of the council.

8 independent members who are not members or officers of the Council, nor have been so for the 5 years preceding their appointment.

The Committee and any sub-committee must be chaired by an independent member. The vice chairman of the committee will also be an independent member.

##### **9.3**

At least one town or parish council member of the committee must be present at any meeting of the committee or a sub-committee when allegations under the Code of Conduct relating to town or parish councillors are being considered.

##### **9.4**

The Standards Committee will have the roles and functions set out in Part 3 of this Constitution.

##### **9.5**

Independent and town and parish council members will be appointed by the County Council for a term of four years.

If at the end of their term of office an independent member wishes to be re-appointed, s/he will be eligible to re-apply. However, they may only serve a maximum of two consecutive terms.

## 2.3 Standards Committee

This Committee will comprise:

6 elected members of the Council other than the Leader or any other member of the Cabinet,

8 town or parish councillors who are not elected members of the Council, and

8 independent members.

The Committee will be chaired by an independent member. The vice-chairman of the Committee will also be an independent member.

The Standards Committee is responsible for:

- promoting and maintaining high standards of conduct by elected members, co-opted members and church and parent governor representatives and officers;
- assisting the elected and co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- advising the Council on the adoption or revision of the Members' Code of Conduct;
- monitoring and advising the Council about the operation of its Code of Conduct in the light of best practice, changes in the law, guidance from the Standards Board and recommendations of case tribunals under section 80 of the Local Government Act 2000;
- advising, training or arranging to train elected and co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct and ensuring that all members of the Council have access to training in all aspects of the Code of Conduct, that this training is actively promoted, and that members are aware of the standards expected from local Councillors under the Code;
- granting dispensations to elected and co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- dealing with all matters relating to:
  - the initial assessment of misconduct allegations under the Members' Code of Conduct;
  - any request to review a decision to take no action in relation to a misconduct allegation;

- any hearing to determine whether a member has breached the Code and where appropriate impose sanctions.
  - the exercise of the committee's functions in relation to the town and parish councils wholly or mainly in its area and the members of those town and parish councils.
- promoting and overseeing high standards of ethical governance throughout the Council;
  - overview of the whistle blowing policy;
  - overview of corporate complaints handling and Ombudsman investigations;
  - reviewing the implementation of recommendations made by the Ombudsman;
  - oversight of the Constitution;
  - considering and determining applications for exemption to the requirements in relation to politically restricted posts.

The Standards Committee has the power to appoint such sub-committees as may from time to time be necessary for the efficient discharge of its functions. In particular, the Committee will appoint:

- An Assessment Sub-Committee;
- A Review Sub-Committee and
- A Hearing Sub-Committee

whose role will be to consider, as appropriate, complaints into alleged breaches of the Code of Conduct.

Any sub-committee will be chaired by an independent member of the Standards Committee.

The composition of any sub-committee will be determined by the Monitoring Officer in consultation with the Chairman of the Committee on the basis of member availability. No member will serve on more than one of the above sub-committees for any one allegation or set of allegations. However, a member may serve on both the Assessment Sub-committee and the Hearing Sub-committee for any one allegation or set of allegations in exceptional circumstances to be approved by the Monitoring Officer

Members of the Review Sub-committee may not serve on any other Sub-Committee dealing with the same or linked complaints.