

STANDARDS COMMITTEE
DRAFT TERMS OF REFERENCE

Composition

1. This Committee will comprise 13 elected councillors, other than the Leader or any other member of the Cabinet, and up to 8 co-opted non-voting members, 50% of whom shall be serving town, parish or city councillors from within the Council's area who are not councillors or officers of the Council.
2. Appointments to the Committee will be made annually by the Council having regard to the rules on political proportionality.
3. The term of office for co-opted non-voting members will normally be 4 years.
4. Co-opted non-voting members will be eligible for re-appointment for a second term.
5. Substitutes will be permitted in accordance with Part 4 of the Constitution.

Role and Function

6. The Standards Committee is responsible for:
 - promoting and maintaining high standards of conduct by elected and co-opted members and officers.
 - assisting the elected and co-opted members to observe the members' code of conduct.
 - advising the Council on the adoption or revision of the members' code of conduct and the arrangements for dealing with member complaints of misconduct which the Council is required to make under Section 28 of the Localism Act 2011.
 - monitoring and advising the Council about the operation of its code of conduct in the light of best practice and any changes in the law.
 - advising, and, through the Member Development Group, arranging to train elected and co-opted members on matters relating to the members' code of conduct and ensuring that members are aware of the standards expected of them under the code
 - granting dispensations to elected and co-opted members from requirements relating to interests.
 - overseeing the operation of the Council's arrangements for dealing with misconduct complaints against members and co-opted members of Wiltshire Council, and parish, town and city councillors in Wiltshire.
 - 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.
7. 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:
 - a. a Hearing Sub-Committee to determine member misconduct complaints under the Council's arrangements.
 - b. a Review Sub-Committee to determine requests for review under the Council's arrangements.
 - c. A Dispensation Sub-Committee to determine requests for dispensation from the requirements relating to interests.
 8. In each case the Sub-Committee shall comprise 3 elected members from whom a chairman will be elected. The Sub-Committee may include 2 non-voting co-opted members of the Standards Committee, one of whom shall be a parish, town or city council representative where the complaint concerns a parish, town or city councillor.
 9. The above Sub-Committees are not subject to the requirements of political balance. The composition of any sub-committee will be determined by the Monitoring Officer in consultation with the Chairman of the Standards Committee on the basis of member availability, drawing from the membership of the Committee and their substitutes and seeking to ensure cross party representation as far as possible.
 10. Members of the Review Sub-Committee may not serve on the Hearing Sub-Committee for the same or a linked complaint.
 11. For the avoidance of doubt decisions of the Sub-Committees will be made by a simple majority of the elected members present.