

## APPENDIX G

### REVISED TERMS OF REFERENCE FOR STANDARDS COMMITTEE

#### Existing Terms of Reference

- (1) To promote and maintain high standards of conduct by Members (which expression shall in these terms of reference include any co-opted Member) of the Council, of its Executive and of its Committees, Sub-Committees, Appeal Panels and Other Member Bodies.
- (2) To assist Members in observing the Council's Code of Conduct for Members ("the Code of Conduct").
- (3) To advise the Council on the adoption or revision of a code of conduct under Section 51 of the Local Government Act 2000.
- (4) To monitor the operation of the Code of Conduct.
- (5) To advise, train and arrange to train Members on matters relating to the Code of Conduct.
- (6) To advise and recommend to the Council on the adoption, amendment and revision of the following Council policies and procedures relating to standards, ethics or conduct:-
  - the Protocol for Member/Officer Relations
  - the Whistleblowing Policy
  - the Procedure for Handling Complaints against Members

#### Proposed Terms of Reference

- (1) To promote and maintain high standards of conduct by Members (which expression shall in these terms of reference include any co-opted Member) of the Council, of its Executive and of its Committees, Sub-Committees, Appeal Panels and Other Member Bodies.
- (2) To assist Members in observing the Council's Code of Conduct for Members ("the Code of Conduct").
- (3) To advise the Council on the adoption or revision of a code of conduct under Section 51 of the Local Government Act 2000.
- (4) To monitor the operation of the Code of Conduct.
- (5) To advise, train and arrange to train Members on matters relating to the Code of Conduct.
- (6) To advise and recommend to the Council on the adoption, amendment and revision of the following Council policies and procedures relating to standards, ethics or conduct:-
  - the Protocol for Member/Officer Relations
  - the Whistleblowing Policy
  - the Procedure for Handling Complaints against Members

<ul style="list-style-type: none"> <li>- the Arrangements for Registering Member Interests</li> </ul> <p>(7) To advise the Council, the Executive and any Committee or Sub-Committee on any Protocol or Convention they are considering adopting or revising.</p> <p>(8) To consider any issue referred to the Council for consultation or comment by the Standards Board for England ("the SBE"), a Government Department or any body representing local government.</p> <p>(9) To consider a report relating to an alleged breach of the Code of Conduct where the matter has been referred to the Council by an Ethical Standards Officer.</p> <p>(10) To consider any notifications or recommendations made to the Council by a Case Tribunal or Interim Case Tribunal following an adjudication under the provisions of Part III of the Local Government Act 2000.</p> <p>(11) To consider and determine or make arrangements for the consideration and determination by a Sub-Committee of the Committee of any allegation that a Member has breached any of the following (together referred to as "the local standards documents"):-</p> <ul style="list-style-type: none"> <li>- the Protocol for Member/Officer Relations;</li> <li>- any Protocol or Convention forming part of the Council's Constitution;</li> </ul>	<ul style="list-style-type: none"> <li>- the Arrangements for Registering Member Interests</li> </ul> <p>(7) To advise the Council, the Executive and any Committee or Sub-Committee on any Protocol or Convention they are considering adopting or revising.</p> <p>(8) To consider any issue referred to the Council for consultation or comment by the Standards Board for England ("the SBE"), a Government Department or any body representing local government.</p> <p>(9) To consider a report relating to an alleged breach of the Code of Conduct where the matter has been referred to the Committee by an Ethical Standards Officer.</p> <p>(10) To consider any notifications or recommendations made to the Council by a Case Tribunal or Interim Case Tribunal following an adjudication under the provisions of Part III of the Local Government Act 2000.</p> <p>(11) To discharge the Committee's functions specified in Section 57A of the Local Government Act 2000, which relate to the initial assessment of allegations that a Member or co-opted Member (or former Member or co-opted Member) of the Council has failed, or may have failed, to comply with the Council's Code of Conduct for Members, and any matter incidental to the discharge of those functions.</p>
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- Relevant Standing Orders; and “Relevant Standing Orders” means Standing Orders 21 and 22 of Chapter 1, and Chapters 2-11 inclusive, of the Council’s Standing Orders set out in Part 4 of this Constitution.

- Relevant Standing Orders; and “Relevant Standing Orders” means Standing Orders 21 and 22 of Chapter 1, and Chapters 2-11 inclusive, of the Council’s Standing Orders set out in Part 4 of this Constitution.

(12) In accordance with the provisions of the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2000, to grant dispensations to Members to enable them to participate in the business of a meeting when they would otherwise be prohibited from participating by the provisions of the Code of Conduct.

(12) To discharge the Committee’s functions under Section 57B of the Local Government Act 2000 which relate to the review of a decision of a Local Assessment Panel that no action should be taken in respect of an allegation that a Member or co-opted Member, (or former Member of co-opted Member) of the Council has failed, or may have failed, to comply with the Council’s Code of Conduct for Members, and any matter incidental to the discharge of those functions.

(13) To consider and determine, or to appoint one or more Sub-Committees to consider and determine any case referred to the Council by an Ethical Standards Officer for investigation or determination.

(13) To discharge the Committee’s functions under Regulations 17 to 20 of the Standards Committee (England) Regulations 2008, which relate to the consideration of reports referred by the Council’s Monitoring Officer in relation to an investigation into an allegation that a Member or co-opted Member, (or former Member or co-opted Member) of the Council has failed, or may have failed, to comply with the Council’s Code of Conduct for Members, to hearings in relation to any such reports (or pursuant to a finding made in relation to any such reports), and any matters incidental to the discharge of those functions.

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| <p>(1) To conduct hearings in order to determine whether a Member has breached the Council's Code of Conduct for Members following a referral to the Council's Monitoring Officer by an Ethical Standards Officer under Section 64(2) of the Local Government Act 2000.</p> <p>(2) To conduct hearings in order to determine whether a Member has breached the Council's Code of Conduct for Members following an investigation carried out by, or by a person appointed by, the Council's Monitoring Officer following a referral by an Ethical Standards Officer to the Monitoring Officer under Section 60(2) of the Local Government Act 2000.</p> <p>(3) To decide in any case where the Panel determine that a Member has breached the Council's Code of Conduct for Members, whether to impose a penalty and what form any penalty should take.</p> <p>(4) To hear any complaints under the Council's Local Procedure for Handling Complaints against Members and, in any case where the Panel find a complaint to be substantiated, whether to impose any sanction on the Members concerned and the form of any such sanction.</p> | <p>(14) In accordance with the provisions of the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2000, to grant dispensations to Members to enable them to participate in the business of a meeting when they would otherwise be prohibited from participating by the provisions of the Code of Conduct.</p> |
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