



Leicester  
City Council

**WARDS AFFECTED**  
**All Wards**

**STANDARDS COMMITTEE**

**12 January 2011**

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**Establishment of Hearing Sub-Committee**

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**Report of the Monitoring Officer**

**1. Purpose of Report**

To ask the Standards Committee to establish a Hearing Sub-Committee to carry out hearings of investigators' reports into complaints against councillors.

**2. Recommendations**

The Standards Committee is recommended to establish a Hearing Sub-Committee with the terms of reference as attached at Appendix 1.

**3. Report**

Section 54A(1) of the Local Government Act 2000, as amended, allows that a standards committee of a relevant authority may appoint one or more sub-committees for the purpose of discharging any of the committee's functions, whether or not to the exclusion of the committee.

Standards for England guidance states, "The standards committee should appoint a sub-committee (the consideration and hearing sub-committee) to consider a monitoring officer's investigation report and to hold determination hearings. This sub-committee must be chaired by an independent member of the standards committee."

*"Standards Committee Determinations."*

In the same document it also states, "Each authority must develop effective procedures to fulfil its legislative requirements. Members and officers involved in the determination of complaints must take this guidance into account when doing so."

Leicester City Council's Standards Committee has, until now, maintained responsibility for the consideration of investigators' findings and for hearings.

The Standards Committee may wish to retain the consideration of the investigator's findings to the full Committee.

**4. Legal and Financial Implications**

Legal implications are considered within the body of the report.

**5. Other Implications**

<b>Others Implications</b>	<b>YES/NO</b>	<b>References with supporting Information</b>
Equal Opportunities	<b>No</b>	
Policy	<b>No</b>	
Sustainable and Environmental	<b>No</b>	
Crime and Disorder	<b>No</b>	
Human Rights Act	<b>No</b>	
Elderly/People on Low Income	<b>No</b>	

**6. Background Papers – Local Government Act 1972**

**None**

**7. Report Author**

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## Appendix 1

### Hearing Sub-Committee

#### Terms of Reference

Subject to relevant legislation and taking into account any guidance issued by Standards for England with regard to hearings:

- 1) Should a hearing of the Standards Committee be required, the Standards Hearing Sub-Committee shall be convened to hear and determine any allegation that a member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct.
- 2) **Composition** - The sub-committee shall comprise three members of the Standards Committee. One of the members of the Standards Hearing Sub-Committee shall be an independent member (and Chair of the Sub-Committee) and two shall be elected members. Although not required by law, efforts will be made, where possible, to provide political balance in the membership. Membership will be drawn from the Standards Committee membership by the Director of Corporate Governance.
- 3) **Quorum** - The quorum for a meeting of the Standards Hearing Sub-Committee shall be all three members.
- 4) **Frequency of Meetings** - The Sub-Committee shall meet as and when required to consider or to hear and determine any allegation(s) against a member of the Council.