

STANDARDS COMMITTEE

Terms of Reference

1. To oversee and promote the Council's arrangements to ensure and maintain probity and the highest standards of governance in the conduct of business by members (including co-opted members) and officers.
2. To oversee and advise full Council and Cabinet on matters relating to the Council's corporate governance and ethical framework.
3. To receive the Council's annual Corporate Governance Review Statement.
4. To oversee, promote, monitor observance and recommend necessary change to Members' and officers' Codes of Conduct and Political Conventions.
5. To oversee and ensure the provision of appropriate training to Members and officers to enable them to adhere at all times to the provisions of the Council's Political Conventions and governance arrangements.
6. In accordance with the relevant legislation and associated Guidance, 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.
7. To oversee the process and, through its Sub-Committees, initially assess and review as necessary written allegations submitted to the Council that an Elected or Co-opted Member of the Council has failed or may have failed to comply with the City Council's Code of Conduct for Members.
8. In the event of there being a local investigation of an allegation in accordance with the relevant legislation and associated Guidance, to determine whether a hearing is necessary, and to conduct these hearings as necessary.
9. To consider under Sections 1 and 2 of the Local Government and Housing Act 1989:-
 - (a) any application received from any officer of the Council for exemption from political restriction in respect of the post held by that officer and may direct the Council that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Council under Section 2(2) of that Act; and,
 - (b) upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Council under Section 2(2) of the 1989 Act, and may direct the Council to include a post in that list.
10. Temporary appointments of Independent Members from another Standards Committee may be made as permitted under the relevant Regulations. The Independent Members will be entitled to vote at meetings.

Matters Reserved to the Committee:

1. All matters of significance are reserved to the Committee save as set out in the Terms of Reference of its established Sub-Committees.
2. All matters within the Terms of Reference of the Standards Committee which are not reserved to full Council or this Committee, either by legislation, regulation or local determination, are delegated to the Director of Corporate Governance.

STANDARDS SUB-COMMITTEE (INITIAL ASSESSMENT)

Terms of Reference.

1. In accordance with the relevant legislation and associated Guidance, the Sub-Committee is empowered to initially assess and decide upon all written complaints received by the Council's Monitoring Officer which allege that an Elected or Co-opted Member of the Council has failed or may have failed to comply with the City Council's Code of Conduct for Members.
2. To authorise the Monitoring Officer to take all reasonable steps to implement its decision(s), with reasons, and to notify the person making the allegation and the Member concerned of that decision.
3. In carrying out an initial assessment the Standards Sub-Committee (Initial Assessment) shall determine, with clear reasons, whether:-
 - i) To refer the complaint to the Monitoring Officer for investigation;
 - ii) To refer the complaint to Standards for England;
 - iii) To refer the complaint to the Monitoring Officer for action other than investigation;
 - iv) To decide that no action should be taken in respect of the complaint.
4. Composition – The Standards Sub-Committee (Initial Assessment) shall comprise three Members, one of whom shall be an Independent Member of the Standards Committee (who will also Chair the Sub-Committee). The membership is to be drawn from all members of the Standards Committee by the Director of Corporate Governance. Although not required by law, the Sub-Committee will, wherever possible, reflect the political balance of the Council.
5. Quorum – The quorum for a meeting of the Standards Sub-Committee (Initial Assessment) shall be three Members (with an Independent Member as Chair) and at least one Elected Member.
6. Frequency of Meetings –The Standards Sub-Committee (Initial Assessment) will meet as and when required.

STANDARDS SUB-COMMITTEE (REVIEW)

Terms of Reference

1. In accordance with the relevant legislation and associated Guidance, to review, as necessary, a decision by the Standards Sub-Committee (Initial Assessment) to take no further action on a complaint against an Elected or Co-opted Member of the Council.
2. To authorise the Monitoring Officer to take all reasonable steps to implement its decision(s), with reasons, and to notify the person making the allegation and the Member concerned of that decision.
3. In carrying out a review the Standards Sub-Committee (Review) shall determine, with clear reasons, whether:-
 - i) To uphold the decision of the Assessment Sub-Committee not to refer the complaint for investigation or other action
 - ii) To refer the complaint to the Monitoring Officer for investigation;
 - iii) To refer the complaint to Standards for England;
 - iv) To refer the complaint to the Monitoring Officer for action other than investigation;
4. Composition – The Standards Sub-Committee (Review) shall comprise three Members of the Standards Committee. One of the Members of the Standards Sub-Committee (Review) shall be an Independent Member of the Standards Committee (and Chair of the Sub-Committee). The membership is to be drawn from all members of the Standards Committee by the Director of Corporate Governance. Although not required by law, the Sub-Committee will, wherever possible, reflect the political balance of the Council.
5. Quorum – The quorum for a meeting of the Standards Sub-Committee (Review) shall be three Members (with an Independent Member as Chair of the Sub-Committee).
6. Frequency of Meetings – The Standards Sub-Committee (Review) shall meet as and when required.

STANDARDS SUB-COMMITTEE (HEARING)

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. At least 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~~ at least one shall be an elected member. 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.