

APPENDIX 1

Terms of Reference for Standards Committees or in the alternative Governance Committee

STANDARDS/GOVERNANCE COMMITTEE	
<p>Appointed by:</p> <p>The Council, in accordance with the provisions of S101 & S102 Local Government Act 1972 and Regulations made thereunder.</p> <p>Appointment of a Standards Committee shall be by full Council</p>	<p>Number of Members:</p> <p>8 elected Members appointed proportionally (of whom 1 member may be a member of the Executive nominated by the Leader of the Council)</p> <p>Parish Councils be invited to nominate a maximum of 3 Parish Councillors to be co-opted as non-voting members</p>
<p>Chair and Vice-Chair appointed by:</p> <ol style="list-style-type: none">1. The Chair will be elected by the Committee.2. There will be one Deputy Chair, who shall be elected by the Committee3. The Deputy-Chair shall deputise for the Chair in his or her absence.	<p>Political Proportionality:</p> <p>Rules of political proportionality apply.</p> <p>Substitutes:</p> <p>Substitutes are permitted for the Standards Committee.</p> <p>Frequency:</p> <p>At least quarterly.</p> <p>Venue:</p> <p>As set out in the approved Calendar of Meetings.</p>
<p>Independent Person:</p> <p>Appointment approved by full Council in accordance with the provisions of Section 28(6) and (7) of the Localism Act 2011</p>	<p>The Independent Person:</p> <p>The Independent Person be invited to attend the meetings of the Standards Committee</p>

Quorum:

At least 3 voting Members of the Committee

Terms of Reference

The Standards Committee will have the following roles and functions:

1. promoting and maintaining high standards of conduct by Members and Co-Opted Members of the authority;
2. Advising and assisting Parish Council(s) and Councillors to maintain high standards of conduct and to make recommendation to Parish Councils on improving standards or actions following a finding of a failure by a Parish Councillor to comply with the Code of Conduct
3. to conduct hearings on behalf of the Parish Council
1. advising the Council on the adoption or revision of the Members' Code of Conduct;
4. to receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority assessment criteria
1. receiving reports from the Monitoring Officer and assessing the operation and effectiveness of the Members' Code of Conduct;
2. advising, training or arranging to train Members and Co-Opted Members on matters relating to the Members' Code of Conduct;
3. assisting Councillors and co-opted Members to observe the Members' Code of Conduct;
4. hearing and determining complaints about Members and Co-Opted Members referred to it by the Monitoring Officer;
5. advising the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards of conduct throughout the Council
6. maintaining oversight of the Council's arrangements for dealing with complaints
7. informing Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints.
8. Appointment of Sub-Committee
9. to grant dispensations after consultation with the Independent Person pursuant to S33(2) (b), (c) and (e) of the Localism Act 2011
10. hear and determine appeals against refusal to grant dispensations by the Monitoring

Officer pursuant to S33(2)(a) and (d) of the Localism Act 2011

SUB-COMMITTEE

Appointed by:

The Council, for the purposes of section 28(6 and (7) of the Localism Act 2011

Number of Elected Members:

5 Members appointed from Members of the Standards Committee.

Chair and Vice-Chair appointed by:

The Chair shall be elected by the Sub-Committee at each meeting.

Political Proportionality:

Rules of political proportionality apply.

Substitutes:

None.

Frequency:

As and when required.

Venue:

To be determined by the Monitoring Officer.

Quorum:

At least 3 voting Members

Parish Councillor be invited to be co-opted as non-voting members in dealing with a complaint against a Parish Councillor

Independent Person:

Appointment approved by full Council in accordance with the provisions of Section 28(6) and (7) of the Localism Act 2011

The Independent Person:

The Independent Person to attend the meetings of the Standards Committee dealing with hearings into allegations of misconduct

Terms of Reference

To conduct a Hearing into an allegation that a Member or Co-opted Member has breached the Authority's Code of Conduct.

Following a Hearing, make one of the following findings:

- (a) That the Member has not failed to comply with the Code of Conduct and no further action needs to be taken in respect of the matters considered at the Hearing
- (b) That the Member has failed to comply with the Code of Conduct but that no further action needs to be taken in respect of the matters considered at the Hearing
- (c) That the Member has failed to comply with the Code of Conduct and that a sanction and/or an informal resolution should be imposed

The sub-committee may impose any action or combination of actions available to it, or impose any informal resolution or combination of informal resolutions as are available to it by law or policy.

After making a finding the sub-committee shall, as soon as reasonably practicable provide written notice of its findings and the reasons for its decision to the Member and complainant.