

Article 9: The Standards Committee

9.01 Standards Committee

The Council will establish and maintain a Standards Committee. Under the regulations, Standards Committees are not subject to the political balance requirements of sections 15-17 of the Local Government and Housing Act 1989. This is to allow the Standards Committee to be seen as being above party politics and comprised of representatives that command the support of the whole authority, regardless of party political loyalties. The Standards Committee should include representatives from all groups represented on the Council and should be constituted to ensure that no one political group dominates.

9.02 Composition

(a) **Membership.** The Standards Committee will be composed of ~~at least:~~

- at least 6 councillors, with no more than one being a member of the Executive (Council Members).
- at least 4 persons who are not councillors or officers of the council or any other relevant body (Independent Members¹)
- at least 3 members of parish councils² in the Council's area; (Parish Members)

At least 25% of the members of the Standards Committee must be Independent Members.

(b) The Council will appoint the **Council Members**. The Council reserves the right to remove any councillor from a Council committee or subcommittee if it considers that it is no longer in the best interests of the Council for that member to remain. Written notice of motion, giving reasons, signed by five members of the relevant parent committee must be delivered to the proper officer not later than 7 working days before the date of the council meeting. Any such motion shall be carried only if at least two thirds of the members present at the meeting are in favour. (Council Standing Order 2.2)

(c) **Independent Members.**

- Independent Members will be entitled to vote at meetings;
- Their appointment shall be ratified by The Council will co-opt the Independent Members on the recommendation of the appointments panel of the Standards Committee, its the panel's size and composition to be determined by the committee
- Criteria which would disqualify an Independent Member or an application to serve as an Independent Member:
 - Being an active member of any political party or having a public profile in relation to political activities;

1 'Independent' in this context means simply a person who is not a member or officer of the Council, any parish council in the district or any other relevant authority – "the relevant authorities". It has no connotation with political independence from any party or political group

² 'Parish councils' in this context refers to any parish or community councils or meetings within South Cambridgeshire.

- Having personal or professional relationships with South Cambridgeshire District Council or any of its members or officers, or with members or employees of any parish council within South Cambridgeshire, including co-opted members of the Standards Committee;
- Being disqualified from standing for election as a councillor, i.e., been adjudged bankrupt or been sentenced to a term of imprisonment for a period of not less than three months in the past five years;
- Having currently, or entering into, any contractual relations with South Cambridgeshire District Council or with any parish council within South Cambridgeshire under which you do or will gain personally (this includes, but is not limited to, receipt of benefits, Council tenancy and employment contracts with the District Council or parish councils within South Cambridgeshire or employment with firms having contractual relationships with the District Council or parish or community councils or meetings within South Cambridgeshire);
- Having been a District or a Parish Councillor, or an employee of the District Council or of any other local authority, including parish councils, currently or within five years before the date of application;
- Being employed by or otherwise connected with any organisation that relies on the District Council for funding or grant aid~~Independent Members shall not be closely connected to any councillors or to the Parish Members~~

(d) **Parish Members**

- At least one Parish Member must be present when matters relating to parish councils or their members are being considered;
- Parish Members will be entitled to vote at meetings on matters relating to the discharge of the functions set out in Article 9.04 below
- A district councillor may not be a Parish Member
- Parish Members may not be closely connected to district councillors
- ~~The~~ Parish Members candidates shall be nominated by parish councils at their ~~a~~Annual parish council meeting~~Meeting,~~ where an election will be held for that parish council, or at the earliest scheduled parish council meeting after the commencement of the appointments process, nominations to include a statement supporting the candidate, not exceeding one side of A4 paper. In the case of more than the requisite number being nominated by the deadline set, the candidates' statements will be sent with a voting paper to all parish councils in the District and the votes received by the deadline set will determine the candidates to be elected
- In the event of a tied vote, the ~~position~~ successful candidate will be ~~filled~~ identified by the Monitoring Officer drawing lots

- [The Council will co-opt the candidate elected by the parish councils](#)
 - A clear and strict deadline will be set for both receipt of nominations and, if a vote is required, voting slips. These deadlines will apply equally to all parish councils, including those of existing or retiring Parish Members
- (e) **Chairing the Committee.** An Independent Member shall chair the committee.
- (f) **Term of Appointment:** A **Council Member** shall cease to be a member of the committee if he / she is no longer a member of the Council. Otherwise he / she shall retire after a term of four years' service, but shall be eligible for re-appointment for a further term or terms. A **Parish Member** shall cease to be a member of the committee if he / she is no longer a member of the parish council which nominated him / her. Otherwise he / she shall retire after a term of four years' service, but shall be eligible for re-nomination and appointment for a further term or terms. An **Independent Member** shall retire after four years (but remain eligible for re-appointment for one further term only, a maximum of eight years).
- (g) [Removal of a Member due to non-attendance: The Council may remove a Council, Independent or Parish Member from the Standards Committee if that member has missed four consecutive meetings of the body concerned \(see Council Standing Order 23\).](#)
- (h) [Removal of a parish council member: The Council reserves the right to remove any parish council representative from the Standards Committee if it considers that it is no longer in the best interests of the Council, the parish councils and the residents of South Cambridgeshire for that member to remain. Written notice of motion, giving reasons, signed by or on behalf of at least fifteen parish councils from within South Cambridgeshire, or by five members of the Standards Committee, must be delivered to the Monitoring Officer not later than seven working days before the date of the Council meeting. Any such motion shall be carried only if at least two thirds of the members present at the Council meeting are in favour.](#)
- (i) [Removal of an independent member due to disqualification: An independent member will be removed automatically from the Standards Committee immediately upon a change of circumstance which would prevent that member from being qualified to continue serving as an independent member \(see 9.02\(c\)\) and notification of the removal of the independent member due to disqualification will be reported to the next meeting of full Council.](#)
- (i) [Removal of an independent member: The Council reserves the right to remove any independent member from the Standards Committee if it considers that it is no longer in the best interests of the Council, the parish councils and the residents of South Cambridgeshire for that member to remain. Written notice of motion, giving reasons, signed by at least five members of the Standards Committee, must be delivered to the Monitoring Officer not later than seven working days before the date of the Council meeting. Any such motion shall be](#)

carried only if at least two thirds of the members present at the Council meeting are in favour.”

(g)(k) **Quorum and Deputies.**

- The quorum for any meeting of the Standards Committee or any sub-committee of the Standards Committee shall be three members of whom at least one shall be an Independent Member (and one must be a Parish Member if parish councils or parish councillors are being considered). For hearings panels under the hearing procedure described in Part 5, Section Q, the number of members on the panel shall be three.
- Except in the case of hearings panels, normally where the number of members of any sub-committee is less than the number of the committee, any Standards Committee councillor, Independent Member or Parish Member who is not a member of the sub-committee may be appointed by the equivalent sub-committee member to act as his or her deputy in his or her place to attend and vote at any meeting of the sub-committee; the minutes of any sub-committee meeting shall record deputised attendance.

9.03 Sub-Committees of the Standards Committee

The Standards Committee must appoint sub-committees from its membership to:

- Assess new complaints that councillors have breached the Code of Conduct (the “Assessment Panel”)
- Review decisions to take no action over a complaint (the “Review Panel”)

The membership of both these Panels must be entirely separate.

The Standards Committee may appoint sub-committees to:

- consider a Monitoring Officer’s final investigation report
- consider determination hearings (the “Hearings Panel”) in accordance with the hearings procedure set out in Part 5 Section Q of the Constitution
- determine any matter relating to parish councils or Parish Members (the “Parish councils sub-committee”)

At least three members of the Standards Committee must be present throughout a meeting of any sub-committee for it to be valid. These three members must include at least one member of the council and one independent member, who must be the chair. At least one parish representative must be present if the matter relates to a parish council.

9.04 Role and Function

The Standards Committee will have the following roles and functions:

- (a) Promote and maintain high standards of conduct by councillors and co-opted members;
- (b) Assist the councillors and co-opted members to observe the Members’ Code of Conduct;
- (c) Advise the Council on the adoption or revision of the Members’ Code of Conduct;
- (d) Monitor the operation of the Members’ Code of Conduct;

- (e) Advise, train or arrange to train councillors and co-opted members on matters relating to the Members' Code of Conduct;
- (f) Initial assessment of all complaints relating to breach of the Code of Conduct by a district or parish councillor in South Cambridgeshire;
- (g) Instruct the Monitoring Officer to carry out an investigation into whether the Code of Conduct has been breached following a complaint (in accordance with the Procedure for the Local Investigation of Referred Complaints set out at Part 5 Section P of the Constitution);
- (h) Referral of complaints to Standards for England where appropriate;
- (i) Instruct the Monitoring Officer to take other action regarding a complaint instead of carrying out an investigation;
- (j) Review on request decisions of the Assessment Panel to take no further action in relation to a complaint that a district or parish councillor has breached the code of Conduct;
- (k) Receive the investigation report of the Monitoring Officer on any matter which is referred by the Assessment Panel to the Monitoring Officer and make a decision on whether it agrees with the report's findings;
- (l) Receive and take a decision where necessary on any other report from the Monitoring Officer on any matter which is referred by the Assessment Panel to the Monitoring Officer
- (m) Hold hearings to determine complaints in which an investigation report has held that the Code of Conduct has been breached (in accordance with the hearings procedure set out in Part 5 Section Q of the Constitution) and, where appropriate, to impose a sanction on a councillor;
- (n) Refer determinations to the First-tier Tribunal (Local Government Standards in England) (formerly the Adjudication Panel for England) for a greater sanction if considered necessary;
- (o) Grant dispensations to councillors and co-opted members from requirements relating to interests set out in Members' Code of Conduct;
- (p) The exercise of (a) to (o) above in relation to the parish councils in its area and the members of those parish councils;
- (q) Receiving reports from time to time from the Monitoring Officer concerning the operation of Members' Code of Conduct and in respect of his / her statutory functions under the Local Government and Housing Act 1989;
- (r) Overview of the Council's 'whistle-blowing' policy;
- (s) Overview of complaints handling and Ombudsman investigations;
- (t) Supervise, receive applications and make directions in relation to politically restricted posts under section 3A of the Local Government and Housing Act 1989.