

Original Wording	Revised Wording Recommended by Standards Committee on 16 June 2010	Notes
<p>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.</p>	<p>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.</p>	<p>No change.</p>
<p>9.02 Composition (a) Membership. The Standards Committee will be composed of at least:</p> <ul style="list-style-type: none"> • 6 councillors, with no more than one being a member of the Executive (Council Members). • 4 persons who are not councillors or officers of the council or any other relevant body (Independent Members¹) • 3 members of parish councils in the Council's area; (Parish Members) <p>At least 25% of the members of the Standards Committee must be Independent Members.</p>	<p>9.02 Composition (a) Membership. The Standards Committee will be composed of:</p> <ul style="list-style-type: none"> • 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) <p>At least 25% of the members of the Standards Committee must be Independent Members.</p>	<p>Removal of words 'at least' from this line. Addition of words 'at least' after each bullet point to provide clarity: when written above, the words 'at least' were often overlooked whenever the Committee size and composition was considered.</p> <p>Addition of footnote to broaden definition of 'Parish Councils' to include community councils.</p>

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 within South Cambridgeshire.

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<p>9.02 (b) The Council will appoint the Council Members.</p>	<p>9.02 (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 Standards 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)</p>	<p>Additional text is copied directly from Council Standing Order 2.2, other than amendment of “the parent committee” to “the Standards Committee” for additional clarity. The Standards Committee is already subject to the Council’s Standing Orders and addition of this text does not affect the appointment or removal of council members, but provides clarification of the process.</p>
<p>9.02 (c) Independent Members.</p> <ul style="list-style-type: none"> • Independent Members will be entitled to vote at meetings; • Their appointment shall be ratified by Council on the recommendation of the appointments panel of the Standards Committee, its size and composition to be determined by the committee • Independent Members shall not be closely connected to any councillors or to the Parish Members 	<p>9.02 (c) Independent Members.</p> <ul style="list-style-type: none"> • Independent Members will be entitled to vote at meetings; • The Council will co-opt the Independent Members on the recommendation of the appointments panel of the Standards Committee, the panel’s size and composition to be determined by the committee • Independent members must meet all criteria specified in the relevant legislation and in associated Standards for England guidance, and any additional criteria which the Standards Committee may from time to time agree. 	<p>Clarification that the Council must co-opt rather than ratify the appointment.</p> <p>Clarification that this refers to the panel’s size and composition.</p> <p>The Local Government Act 2000 and the 2001 and 2008 Regulations, as well as various Standards for England guidance papers (which the authority is required to follow) all set out the criteria for independent members. This addition reflects the mandatory requirements for independent membership, but retains the flexibility for the Standards Committee to consider at any time whether or not it wants additional criteria, and to accommodate any future legislative changes without having to return to Council whenever a revision is necessary.</p>

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<p>9.02 (d) Parish Members</p> <ul style="list-style-type: none"> • 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 shall be nominated by parish councils at their annual parish council meeting, 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 will be filled by the Monitoring Officer drawing lots • 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 	<p>9.02 (d) Parish Members</p> <ul style="list-style-type: none"> • 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 • Parish Member candidates shall be nominated by parish councils at their Annual Meeting, where an election has been 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 successful candidate will be identified by the Monitoring Officer drawing lots • The Council will co-opt the candidate elected by the parish councils or identified by the Monitoring Officer drawing lots. • 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 	<p>Clarification: Candidates, rather than parish members, are nominated by parish councils at their Annual Meeting (not the Annual Parish Meeting, which is a separate event), plus addition of flexibility for nominations to be made at other scheduled meetings should a vacancy arise mid-year.</p> <p>Clarification that the Monitoring Officer drawing lots does not fill the position, but identifies the candidate for co-option.</p> <p>Clarification that the final stage in the process is Council's co-option of the successful candidate.</p>

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<p>9.02 (e) Chairing the Committee. An Independent Member shall chair the committee.</p>	<p>9.02 (e) Chairing the Committee. An Independent Member shall chair the committee.</p>	<p>No change.</p>
<p>9.02 (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).</p>	<p>9.02 (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 a parish council. 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 shall be eligible for re-appointment for a further term or terms.</p>	<p>Removal of the requirement that the parish member be a member of the parish council which nominated him / her: the legislative requirement is only that s/he be a parish councillor.</p> <p>Guidance on Standards Committees (Standards Board for England, July 2008) recommended that independent members serve for no longer than two terms – a maximum of eight years. This recommendation was removed from the more recent publication, independent members (Standards for England, January 2010), and this paragraph has been updated accordingly.</p>
	<p>9.02 (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).</p>	<p>Copied directly from Council Standing Order 23, to which the Standards Committee already is subject, to provide clarification of the potential for removal due to non-attendance, but does not change existing practise. Such removal would not be automatic: the Council may remove the member.</p>
	<p>9.02 (h) Removal of a parish council member: The Council reserves the right to remove any parish 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 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</p>	<p>Text is copied directly from Council Standing Order 2.2, to which the Standards Committee already is subject, including an additional process to ensure that Parish Councils also have the right to request that a member be removed, but that the final decision will rest with the Council. Without the addition, parish members could be removed only by Council upon written notice of motion signed by or on behalf of any five members of the Standards Committee.</p>

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	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.	
	9.02 (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.	Reflects statutory requirements that an independent member would automatically cease to be a member of the Standards Committee if they no longer met the established criteria. This process has already been in place since the establishment of the Standards Committee and the wording has been added to Article 9 to provide clarity, but does not change existing practise.
	9.02 (j) 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, at least three of whom must be independent members, 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.	Text is copied directly from Council Standing Order 2.2, to which the Standards Committee already is subject, including an additional process to address concerns raised at the March 2010 Standards Committee meeting that an independent member could be removed by a coalition of district and parish members. The final decision for removing a member of the Standards Committee will rest with the Council. Without the addition, Council could remove any independent members upon written notice of motion signed by or on behalf of any five members of the Standards Committee.
9.02 (g) Quorum and Deputies. <ul style="list-style-type: none"> • 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 	9.02 (k) Quorum and Deputies. <ul style="list-style-type: none"> • 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 	Renumbered to reflect additional paragraphs. Text remains unchanged.

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<p>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.</p> <ul style="list-style-type: none"> • 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. 	<p>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.</p> <ul style="list-style-type: none"> • 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. 	
<p>9.03 Sub-Committees of the Standards Committee The Standards Committee must appoint sub-committees from its membership to:</p> <ul style="list-style-type: none"> • 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”) <p>The membership of both these Panels must be entirely separate.</p> <p>The Standards Committee may appoint sub-committees to:</p> <ul style="list-style-type: none"> • consider a Monitoring Officer’s final investigation report • consider determination hearings (the “Hearings Panel”) in accordance with 	<p>9.03 Sub-Committees of the Standards Committee The Standards Committee must appoint sub-committees from its membership to:</p> <ul style="list-style-type: none"> • 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”) <p>The membership of both these Panels must be entirely separate.</p> <p>The Standards Committee may appoint sub-committees to:</p> <ul style="list-style-type: none"> • consider a Monitoring Officer’s final investigation report • consider determination hearings (the “Hearings Panel”) in accordance with 	<p>No change.</p>

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<p>the hearings procedure set out in Part 5 Section Q of the Constitution</p> <ul style="list-style-type: none"> • determine any matter relating to parish councils or Parish Members (the “Parish councils sub-committee”) <p>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.</p>	<p>the hearings procedure set out in Part 5 Section Q of the Constitution</p> <ul style="list-style-type: none"> • determine any matter relating to parish councils or Parish Members (the “Parish councils sub-committee”) <p>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.</p>	
<p>9.04 Role and Function The Standards Committee will have the following roles and functions:</p> <ul style="list-style-type: none"> (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 	<p>9.04 Role and Function The Standards Committee will have the following roles and functions:</p> <ul style="list-style-type: none"> (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 	No change.

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<p>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);</p> <p>(h) Referral of complaints to Standards for England where appropriate;</p> <p>(i) Instruct the Monitoring Officer to take other action regarding a complaint instead of carrying out an investigation;</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(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;</p> <p>(n) Refer determinations to the First-tier Tribunal (Local Government</p>	<p>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);</p> <p>(h) Referral of complaints to Standards for England where appropriate;</p> <p>(i) Instruct the Monitoring Officer to take other action regarding a complaint instead of carrying out an investigation;</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(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;</p> <p>(n) Refer determinations to the First-tier Tribunal (Local Government</p>	

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<p>Standards in England) (formerly the Adjudication Panel for England) for a greater sanction if considered necessary;</p> <p>(o) Grant dispensations to councillors and co-opted members from requirements relating to interests set out in Members' Code of Conduct;</p> <p>(p) The exercise of (a) to (o) above in relation to the parish councils in its area and the members of those parish councils;</p> <p>(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;</p> <p>(r) Overview of the Council's 'whistle-blowing' policy;</p> <p>(s) Overview of complaints handling and Ombudsman investigations;</p> <p>(t) Supervise, receive applications and make directions in relation to politically restricted posts under section 3A of the Local Government and Housing Act 1989.</p>	<p>Standards in England) (formerly the Adjudication Panel for England) for a greater sanction if considered necessary;</p> <p>(o) Grant dispensations to councillors and co-opted members from requirements relating to interests set out in Members' Code of Conduct;</p> <p>(p) The exercise of (a) to (o) above in relation to the parish councils in its area and the members of those parish councils;</p> <p>(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;</p> <p>(r) Overview of the Council's 'whistle-blowing' policy;</p> <p>(s) Overview of complaints handling and Ombudsman investigations;</p> <p>(t) Supervise, receive applications and make directions in relation to politically restricted posts under section 3A of the Local Government and Housing Act 1989.</p>	