

# ARTICLE 9

## The Standards Committee

### 9.01 *Standards Committee*

The Council meeting will establish a Standards Committee.

### 9.02 *Composition*

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

- 4 councillors [but not the Leader]; only one councillor may be a member of the executive (Council Members).
- 3 persons who are not councillors or officers of the council or any other relevant body (Independent Members<sup>1</sup>)
- 3 members of parish councils in the Council's area; (Parish Members)

(N.B.: 3 Independent and 3 Parish Members (increased from 2 of each) with effect from April 2006)

(b) **Council Members** shall be chosen as far as practicable from each political group on the Council

(c) **Independent Members.**

- Independent members will be entitled to vote at meetings;
- Their appointment shall be approved by the Council upon the recommendation of the Appointments Panel comprising the Council Members and the Parish Members
- 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 9.03 (h) below
- A councillor may not be a Parish Member
- Parish Members may not be closely connected to 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

(e) **Chairing the Committee.** A member of the executive may not chair the committee.

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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

- (f) **Parish Councils sub-committee.** The Standards Committee may appoint a sub-committee to exercise the functions set out in Article 9.03 (h) below to determine any matter relating to parish councils or Parish Members. The sub-committee shall include at least one **Independent Member** and at least one **Parish Member** and the number of Council Members shall not exceed the aggregate number of **Independent** and **Parish Members**.
- (g) **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).
- (h) **Quorum and Deputies.**
- The quorum for any meeting of the Standards Committee or any sub-committee of the Standards Committee shall be four 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 M, 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 Role and Function**

The Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by councillors and co-opted members;
- (b) Assisting the councillors and co-opted members to observe the Members' Code of Conduct;
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) Monitoring the operation of the Members' Code of Conduct;
- (e) Advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct;
- (f) Granting dispensations to councillors and co-opted members from requirements relating to interests set out in Members' Code of Conduct;

- (g) Dealing with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter which is referred by an ethical standards officer to the monitoring officer.
- (h) The exercise of (a) to (g) above in relation to the parish councils in its area and the members of those parish councils.
- (i) 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.
- (j) Overview of the Council's 'whistle blowing' policy;
- (k) Overview of complaints handling and Ombudsman investigations.