

STANDARDS COMMITTEE – TERMS OF REFERENCE

1. To promote and maintain high standards of conduct by the members and co-opted members of the Council.
There will be a statutory duty to promote and maintain high standards of conduct by Members and Co-opted Members of the Authority.
2. To assist members and co-opted members of the Council to observe the Council's Code of Conduct.
This will still apply if the Council adopts a voluntary Code of Conduct.
3. To advise the Council on the adoption and revision of its Code of Conduct, taking into account the Model Code of Conduct, guidance from the Standards Board for England and elsewhere, and existing good practice within the Council.
This may also be applicable if a Model Code is produced by the Local Government Association or other body.
4. To monitor the operation of the Code of Conduct and recommend revisions as appropriate, and to ensure that the Code is fully understood and applied throughout the Council.
Applicable if a Voluntary Code is agreed.
5. To advise, train or arrange to train members and co-opted members of the Council on matters relating to the Code of Conduct.
As 4 above.
6. To give dispensation to Members and Co-opted Members of the Council under the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002.
Under the proposed regulations regarding Members' interests, there will be a power to grant dispensations which could remain with the Standards Committee.
7. To carry out similar functions to those above in relation to the Parish Councils for which the Council is the responsible authority and the members of those Parish Councils.
This will cease to apply, although voluntary arrangements or protocols could be agreed with Town and Parish Councils.
8. To review arrangements as to the declarations of interest of members, co-opted members and officers, to monitor the operation of such arrangements and to offer advice on their application.
This role is likely to continue, although it is dependent upon the provisions made in the proposed regulations.
9. To review and recommend such other protocols, local codes and guidance as may be considered desirable to build upon the rules contained within the Code of Conduct whilst not forming part of it.
This would still be applicable, e.g. Member/Officer Protocol, Planning Code.

APPENDIX 1

10. To establish Sub-Committees:-
 - (a) To carry out the initial assessment of written allegations that members of the Council or of a Parish Council have failed to comply with the Code of Conduct.
 - (b) To review at the request of the person making the allegation any decision to take no action.
 - (c) To receive the report of the Monitoring Officer (or person nominated by him) into any complaint referred to the Monitoring Officer and, following consideration of such report to take any action prescribed by the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 as amended.

This will need to change, although if the Council agrees to adopt a voluntary Code, then a procedure will be needed for dealing with written allegations that Members or Co-opted Members have failed to comply with the Code.
11. To consider any report made to the Committee or the Monitoring Officer by an Ethical Standards Officer following an investigation into an allegation of a breach of the Code of Conduct and following consideration of such report to take any action prescribed by the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 as amended.

This will cease to apply following abolition of the post of Ethical Standards Officer and repeal of the regulations.
12. To consider any other recommendations, guidance or direction referred to the Committee or the Monitoring Officer by an Ethical Standards Officer or the Standards Board for England.

As 11 above.
13. To provide any information required by the Standards Board for England regarding the exercise of the Committee's functions.

This will cease to apply following abolition of Standards for England.
14. To consider any application for exemption from political restriction made to the Committee by the holder of any post under the Council and to give directions to the Council requiring it to include a post in the list of political restricted posts maintained by the Council.

This will cease to apply as it is proposed that this function should be referred to the Chief Executive.
15. To establish and monitor the operation of Complaints Procedures and Whistleblowing Procedures.

This role could still apply.
16. To review the application of the Council's Standing Orders, Financial Regulations, contract arrangements and other such provisions.
17. To review and comment upon the Council's procedures and Codes of Practice relating to public access to information, confidentiality and arrangements for data protection.

APPENDIX 1

18. To review the procedures for appointment of Council representatives to outside bodies and to make recommendations to the Council or the Cabinet as necessary.
19. To consider reports arising from external inspections, audit investigations, Ombudsman investigations, legal challenges and other sources which cast doubt on the honesty or integrity of the Council, its members or officers, and to recommend action to the full Council or Cabinet as appropriate.
20. To consider and offer advice and guidance as appropriate on other matters which in the view of the Committee or the Council's Monitoring Officer could have a bearing on public perceptions of the honesty and integrity of the Council, its members, co-opted members and officers.
21. To consider and make recommendations on such other matters as the Committee itself thinks appropriate or which are referred for attention by the Council or the Cabinet which further the aim of promoting and maintaining the highest standards of conduct within the authority.

16 to 21 – as with 15 above.

In these Terms of Reference “co-opted member of the Council” means a person who is not a member of the Council, but who:-

- (a) is a member of any Committee or Sub-Committee of the Council, or
- (b) is a member of and represents the Council on any Joint Committee or Joint Sub-Committee of the Council

and who is entitled to vote on any question which falls to be decided at any meeting of that Committee or Sub-Committee.