

Article 9 – The Standards Committee

Explanation:

To set out the membership, role and function of the Standards Committee.

9.01 Standards Committee

The Council has established a Standards Committee.

9.02 Composition

(a) **Membership.** The Standards Committee comprises:

- three Councillors, other than the Mayor or Leader, one from each political group;
- **three** persons who are not Councillors or Officers of the Council or of any other body having a Standards Committee (the Independent Members);
- three Members of a Parish Council wholly or mainly in the Council's area, not being a Member of the Borough Council (Parish Members).

(b) **Independent Members.** Independent Members will be entitled to vote at meetings. At least one Independent Member must be present at all Standards Committee or Subcommittee meetings. Any independent members must comply with the requirements set out in the Guidance issued by the Standards Board and that guidance will be used to select the independent members.

(c) **Parish Members.** Parish Members will be entitled to vote at meetings. At least one parish Member must be present when matters relating to Parish Councils or their Members are being considered.

(d) **Chairing the Committee.** The chair of the Standards Committee will be one of the independent members, as selected by the Council at the start of the four year cycle or at the next available meeting of the Council, if the position becomes vacant during that period.

(e) **Quorum.** Subject to clauses (b) and (c) above, the quorum of the Standards Committee and Subcommittees is 3 voting members.

(f) **Sub-Committees.** For the purpose of local assessment, review of complaints and consideration of investigation reports, a Sub-Committee will be called, comprising of 3 members of the Standards Committee, to be chaired by an independent chair and include a Parish representative (where the complaint concerns a Parish Councillor).

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 and protocols for Members and/or officers
- (d) monitoring the operation of the Members' Code of Conduct;
- (e) advising, training or arranging to train the Mayor, 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 the Members' Code of Conduct;
- (g) dealing with any reports from a case tribunal, Standards Committee or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred by the Standards committee to the Monitoring Officer.
- (h) overview of any Anti-Fraud and Corruption Policy.
- (i) keep under review the Council's complaints procedures.
- (j) keep under review the Members' and Officers' Registers of Interests.
- (k) overview Ombudsman investigations.
- (l) exercising (a) to (g) above in relation to the Parish Councils wholly in Hinckley & Bosworth Borough Council's area and their elected Members.
- (m) initial assessment of complaints concerning elected and co-opted Members.
- (n) dealing with dispensations relating to politically restricted posts.
- (o) granting dispensations to employees from political restrictions.

All Members of Standards Committee must undertake specific training relating to the functions of the Committee within 6 months of being approved, unless they have already undertaken training in the last 12 months.

9.04 Terms of Reference - Standards Sub-Committees

1. Standards (Assessment) Sub-Committee

- 1.1 The purpose of the Standards (Assessment) Sub-Committee will be to receive and consider all written complaints that allege that any member or co-opted member of the authority concerned has failed, or may have failed to comply with that authority's code of conduct.
- 1.2 The Standards (Assessment) Sub-Committee must take one of the following decisions once it has considered the complaint put before it:
 - 1 That no action be taken in respect of the complaint;
 - 2 That the complaint be referred to the monitoring officer for investigation or other action;
 - 3 That the complaint be referred to the Standards Board for England.

2. Standards (Review) Sub-Committee

- 2.1 The purpose of the Standards (Review) Sub-Committee is to review the decision of the Standards (Assessment) Sub-Committee that no action be taken in respect of the complaint made, if the person making the complaint has requested that a review be held.