

PART 8

THE STANDARDS COMMITTEE

8.1 STANDARDS COMMITTEE

8.1.1 The Council will establish a Standards Committee in accordance with Section 53 of the Local Government Act 2000

8.1.2 Composition

8.1.2.1 General. The Standards Committee will be composed of at least two Councillors (who may not include the Leader) and at least three persons who are not Councillors or officers of the Council or any other body having a standards committee (the independent members). By convention the Councillors are the Chairman and the Vice Chairman of the Council. The independent members will be entitled to vote at meetings. Current members are shown at Appendix 19.

8.1.2.2 Parish Council Matters. The Standards Committee will also exercise functions of the Council relating to those parish councils in respect of which the Council is the responsible authority. It will include at least two members of parish councils and at least one of these persons must be present when matters relate to parish councils or their members are discussed. The Committee may co-opt additional members as and when required from other local authority, town and parish Councils.

8.1.3 Role

8.1.3.1. The role of the Standards Committee will be:

- Promoting and maintaining high standards of conduct by the Councillors and co-opted members of the Council.
- Assisting Councillors and where appropriate co-opted members to observe the Council's Code of Conduct.
- Advising the Council on the re-adoption or revision of the Councillors' Code of Conduct
- Advising the Council on the adoption or revision of the protocol for member-officer relations.
- Monitoring the operation of the Council's Code of Conduct .

- Advising, training or arranging to train the Councillors and co-opted members of the Council on matters relating to the Councillors' Code of Conduct.
- Exercising the above function in relation to parish council for which it is the responsible authority and the members of those councils.
- Granting dispensations to Councillors, co-opted members and church and governor representatives from requirements relating to interests set out in the Councillor's Code of Conduct.
- Dealing with any reports from the case tribunal or interim case tribunal and any report from the Monitoring Officer or any matter which was referred by the Standards Board to the Monitoring Officer.
- To assess and review complaints about Councillors
- To conduct determination hearings .
- To receive reports, and comment on complaints procedures and/or reports from Local Government Ombudsman or external auditors, which are relevant to the Standards Committee's responsibilities.
- To advise the Council on the appointment of independent members.
- To consider the compliance of the Constitution with the ethical framework.
- To consider any application received from any officer of the Council for exemption from political restriction under sections 1 and 2 of the Local Government and Housing Act 1989 in respect of the post held by that officer and, if it thinks fit, to direct the Council that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the authority under section 2.2 of that Act; and
- Upon the application of any person, or otherwise, to consider whether a post should be included in the list maintained by the Council under section 2.2 of the 1989 Act and, if it thinks fit, to direct the Council to include a post in that list.

8.1.4. Conduct of Business etc

8.1.4.1 The quorum for the Standards Committee will be three which must include an independent person, who shall be the chairman of the committee, and include a town or parish council member when considering town or parish matters.

8.1.4.2 The chairman shall have a casting vote when there is an equality of votes.

8.1.4.3 The Standards Committee will establish an Assessment Sub-committee and a Review Sub-committee to discharge those functions of the Committee. The Committee will constitute a hearing panel to make a determination and shall record whether that determination has been agreed unanimously.

8.1.4.4 The Standards Committee may establish a sub-committee to discharge any of its functions and will operate in accordance with Parts 2 and 5 of the Constitution.

8.1.4.5 The Assistant Chief Executive Legal and Democratic will appoint a substitute member of Herefordshire Council, should any Councillor member for any reason be unable to serve on the Committee or any of its sub-committees.