

APPENDIX D TO THE MINUTES OF THE MEETING OF THE DETERMINATIONS & DISPENSATIONS COMMITTEE HELD ON 9 APRIL 2018

STANDARDS COMMITTEE

TERMS OF REFERENCE

Advisory ONLY

1. In accordance with the provisions of the Localism Act 2011:
 - a. To consider and recommend to the Authority any actions considered necessary to discharge the statutory duty to promote and maintain high standards of conduct by Members and Co-opted Members of the Authority; and
 - b. To develop, keep under review and make recommendations to the Authority on a Code of Conduct expected of Members and Co-opted Members of the Authority when acting in that capacity.
2. To oversee the content and operation of the Authority's "Whistleblowing" Code (Confidential Reporting Policy), making recommendations to the Authority as appropriate.

Matters with Delegated Power to Act

1. To oversee the arrangements for the assessment, investigation and determination (as appropriate) of allegations of any breach of the Code of Conduct.
2. To consider the findings of any investigation into an alleged breach of the Authority's approved Code of Conduct (affording the Member subject to the allegation ["the subject Member"] a right of hearing) and – in consultation with the "independent person" - to determine whether or not (on the basis of the evidence available and on the balance of probabilities) a breach of the approved Code has been proven.
3. In the event that a Code breach is proven, to consider:
 - a. whether a sanction should be imposed; and
 - b. if so, determine what the sanction(s) should be from the following:
 - i. censure the subject member. The Committee will determine the terms and manner of this censure (which may include, but is not limited to, notifying the subject member's appointing constituent authority and/or arranging for details of the censure to be published in local media circulating in the area of the Authority);
 - ii. recommend to the full Authority that the subject member be removed from any Committees, Sub-Committees, Working Parties or outside bodies to which they have been appointed or nominated by the Authority;
 - iii. withdraw any Authority facilities that may have been provided to the subject member (e.g. e-mail accounts);

- iv. exclude the subject member from the Authority's premises (save to the extent that the subject member requires access to attend meetings of the full Authority or any Committee etc. to which the subject member may have been appointed by the Authority);
 - v. instruct the Monitoring Officer to arrange for training for subject member.
4. In the event of "sensitive" allegations of Code breach (e.g. where the Monitoring Officer may have previously advised the Member subject to the allegation on the matter concerned), to determine, following consultation with the independent person, whether or not an allegation should be investigated.
5. To consider, following submission in writing to the Monitoring Officer by the Member concerned, any request for a dispensation either to talk or to talk and vote in relation to a disclosable pecuniary interest in the following circumstances:
 - that, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to potentially alter the outcome of any vote on the matter;
 - That the Committee considers that the dispensation is in the interests of persons living in the authority's area; or
 - That the Committee considers that it is otherwise appropriate to grant a dispensation.
6. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.