

# **STANDARDS AND CONSTITUTION**

**(9 Members)**

## **1. TERMS OF REFERENCE**

1. Promoting and maintaining high standards of conduct by Councillors in accordance with the duty contained in Section 27 of the Localism act 2011.
2. Assisting Councillors to observe the Members' Code of Conduct.
3. Advising the Council on the adoption or revision of the Members' Code of Conduct.
4. Granting dispensations under Section 33 of the Localism act 2011 to Councillors from the requirements relating to interests set out in the Members' Code of Conduct.
5. Making arrangements for investigating and determining complaints regarding alleged breaches of the Members' Code of Conduct.
6. Discharging, through a Hearings Panel, decisions made following consideration of reports by an Investigating Officer in connection with 5) above.
7. Receiving requests for, and/or proposing, review of the Constitution or parts thereof as necessary.

## **2. TO MAKE RECOMMENDATIONS REGARDING:**

1. Significant revisions to the Constitution (subject to other Policy Committees being able to make recommendations direct to Council about proposed changes to their Terms of Reference).
2. The adoption and revision of the Members' Code of Conduct.
3. Changes to the Committee's Terms of Reference.
4. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.

## **3. TO RESOLVE:**

The granting of dispensations in the following circumstances (under Section 33 of the Localism act 2011) to Councillors from the requirements relating to interests set out in the Members' Code of Conduct:

- a. that without the dispensation, the representation of Political Groups transacting the business would be so upset as to alter the outcome of any vote on the matter;
- b. that dispensation is in the interests of persons living in the authority's area;
- c. it is otherwise considered appropriate to grant a dispensation.

#### **4. DELEGATION TO HEARINGS PANELS**

1. Determination of complaints referred by an Investigating Officer regarding alleged breaches of the Members' Code of Conduct.
2. Such Panels shall comprise three Borough Councillors serving on the Standards and Constitution Committee.

#### **5. DELEGATION TO OFFICERS**

1. To the Monitoring Officer, in consultation with the Chair of the Standards and Constitution committee, to grant dispensations in situations where so many Members of the decision-making body have Disclosable Pecuniary Interests in a matter that it would otherwise impede the transaction of the business.
2. To the Monitoring Officer and/or Deputy Monitoring Officer respectively the power to determine matters in respect of the Code of Conduct and arrangements for dealing with allegations of breach (following consultation with the Independent Person where required) except for those which are identified above as reserved for determination by the Council, Committees or Hearings Panel.

#### **Standards and Constitution - Hearing Sub Committee**

Determination of complaints referred by the Monitoring Officer and Investigating Officer regarding alleged breaches of the Members' Code of Conduct. Such Panels shall comprise three Borough Councillors serving on the Standards and Constitution Committee.