

Report to: Standards Committee



Date of Meeting 22 June 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Standards Committee Terms of Reference

Report summary:

To note the Standards Committee Terms of Reference.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Standards Committee note the Terms of Reference.

Reason for recommendation:

To ensure that the Committee are fully aware of the matters within their remit.

Officer: Melanie Wellman, Director of Licensing and Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; Ensures the Committee are aware of the matters within their remit.

Links to background information

Appendix A : Terms of Reference

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
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Purpose of Report

1. To present the Standards Committee Terms of Reference, a copy of which is attached below as Appendix A. This Terms of Reference details the matters for which the Standards Committee have responsibility in the Constitution.

Financial implications:

There are no financial implications to be added to this report.

Legal implications:

There are no legal implications to be added to this report.

2.6 Standards Committee

- 2.6.1 **Membership:** 13 Councillors comprising Chair of Council (who will be the Chair) and 6 District councillors (subject to the rules relating to political balance / proportionality), 3 non-voting Parish Councillor representatives and 3 non-voting independent members. There shall be substitute members for each political group of the Council entitled to a seat to ensure flexibility in case of any conflict of interest and to ensure political balance.
- 2.6.2 **Meetings:** 4 times per year (or more frequently as appropriate).
- 2.6.3 **Quorum:** 4 committee members (of which three shall be Members with voting rights).
- 2.6.4 **Terms of Reference:** All elected Members (and any co-opted members) are subject to the Code of Conduct for Councillors. The Standards Committee will exercise the roles and functions referred to in Article 9 of the Constitution. It is a committee that is subject to the procedural rules of the Local Government Act 1972 and shall be politically balanced unless full Council votes to the contrary unanimously. In addition the Standards Committee will:
- (a) Advise on the discretionary elements of the Local Code; including monitoring and updating.
 - (b) Advise on the implementation of the Local Code, including the training of Members in matters of conduct and advice to Members on such issues as the treatment of Disclosable Pecuniary Interests and personal interests and more general conduct issues.
 - (c) To the extent allowed by law make arrangements for Members to receive dispensations to speak on, or participate in, matters in which they have interests.
 - (d) Appoint such Sub Committees (including Membership thereof) as appropriate to discharge the functions.
- 2.6.5 The Committee will support and be supported by the Council's Monitoring Officer, reinforcing his/her informal role of helping to maintain standards of conduct by encouragement, advice and persuasion.
- 2.6.6 Council will appoint at least one Independent Person to discharge the relevant functions under the Localism Act 2011 and the Council's internal procedures.
- 2.6.7 The Council will appoint members of the Standards Committee at its annual meeting.
- 2.6.8 The Committee will report directly to the Council, and reports to Council shall be under the name of the Chair. The Committee shall receive guidance from the Monitoring Officer or his Deputy. The Committee may make recommendations to the Council on changes to the Code of Conduct, procedure, or guidelines relating to the conduct of Members.
- ### 2.6.9 Assessment Sub Committee
- 2.6.10 **Membership:** 3 Councillors drawn as necessary from the Standards Committee, and one non-voting Independent Member, one non-voting Parish Member and one Independent Person. The Chair and membership to be rotated and it can be called on an ad hoc basis.
- 2.6.11 **Quorum:** 3 District Councillors,
- 2.6.12 **Terms of Reference:** To consider investigation reports referred to the sub-committee by the Monitoring Officer concerning complaints of breaches of the Code by District councillors or Parish Councillors within East Devon.
- ### 2.6.13 Hearings Sub Committee

- 2.6.14 **Membership:** 3 Councillors drawn as necessary from the Standards Committee, and one non-voting independent Member, and one non-voting Parish Council Member. The membership shall be rotated and it can be called on an ad hoc basis. The Chair of the Council shall Chair if sitting. The membership shall not include any member who sat on the Assessment Sub-Committee that considered the complaint at the earlier stage, save where to do so would mean that the Hearing Sub-Committee is incapable of being constituted.
- 2.6.15 **Quorum:** 3 District Councillors.
- 2.6.16 **Terms of Reference:** To consider investigation reports referred to the sub-committee by the Monitoring Officer concerning complaints of breaches of the Code by District councillors or Parish councillors within East Devon.