

STANDARDS COMMITTEE

1. Aims & Objectives

Within the Terms of Reference of, and under the powers and authority delegated to the Committee, to exercise the Council's functions in matters relating to standards of conduct within the Council.

2. Constitution & Powers

- i) The Standards Committee will comprise 7 Members of the Council and the following co-opted, non-voting Members who will act in an advisory capacity:
 - 2 Independent Persons (as defined by Section 28 of the Localism Act) (or such other number appointed by the Council); and
- ii) Political balance will apply to the Council's Membership (**any restrictions on membership to be specified here**).
- iii) A quorum will consist of 3 voting Members.
- iv) Substitution arrangements will not apply.
- v) The Standards Committee will establish a Hearings Sub-Committee, consisting of 3 Members of the Committee, to undertake the functions set out below (political balance will apply).

3. Standards Committee Terms of Reference

- (1) To promote and maintain high standards of conduct and to assist Members and Co-opted Members to observe the Code of Conduct, and to:
 - advise the Council on the adoption or revision of the Code;
 - monitor the operation of the Code; and
 - provide advice and training.
- (2) To promote and maintain high standards of conduct in Parish Councils and to assist Parish Councils to observe the Code of Conduct, and to:
 - advise Parish Councils on the adoption or revision of Codes of Conduct;
 - monitor the operation of their Codes; and
 - provide advice and training to Parish Councillors.
- (3) To determine applications for dispensations which have been made by Members of the Borough Council and which have not been determined by the Monitoring Officer under authority delegated to her.
- (4) To prepare, monitor and review Codes and Protocols to support the Code of Conduct and recommend to Council accordingly.
- (5) To consider reports from the Monitoring Officer on the number of complaints received under the Code of Members' Conduct and the decisions taken by the Monitoring Officer in consultation with the Independent Person(s) on such complaints.
- (6) To consider and determine the appropriate action on matters referred by the Monitoring Officer in relation to the assessment of complaints where the

Monitoring Officer has been unable to exercise his/her delegated authority.

- (7) To receive summary reports from the Monitoring Officer:
 - a) on complaints that have been investigated where 'no breach' of the Code has been found to have occurred; and
 - b) on complaints where a 'breach' of the Code has been found but where it has been possible for a local resolution to be agreed.
- (8) To adopt procedures for the hearing of cases of a 'breach of the Code' finding upon investigation via a Hearings Sub-Committee.

4. Hearings Sub-Committee Terms of Reference

- (1) To hear cases, including those relating to Parish Council Members and Co-opted Members, of an alleged breach of the Member Code of Conduct referred by the Monitoring Officer following a report of an Investigating Officer.
- (2) In respect of Members of the Borough Council, where it has been determined that a Member has failed to comply with the Authority's Code of Conduct, to impose one or more of the following, if appropriate:
 - a) censure;
 - b) report to Council;
 - c) recommend actions to the Leader of the Council;
 - d) recommend actions to Group Leader (e.g. removal from a Committee)
 - e) removal from Outside Bodies;
 - f) withdrawal of facilities, such as Council email/website/internet access;
 - g) exclusion from the Council Offices, or other premises, with the exception of meeting rooms as necessary for attending Council, Committees or Sub-Committees and/or nominating a single point of contact; and/or
 - h) requesting the Member to undertake actions deemed appropriate e.g. training, issue of an apology.
- (3) In respect of the Members of Parish Councils, within the area of Cheltenham Borough Council, where it has been determined that a Member / Co-opted Member has failed to comply with their Authority's Code of Conduct, to impose one or more of the following, if appropriate:
 - a) censure;
 - b) report to the Parish Council recommending actions which could include removal from a Committee, removal from an Outside Body or withdrawal of facilities; and/or
 - c) requesting the Member to undertake actions deemed appropriate e.g. training, issue of an apology.