

ARTICLE 7

THE STANDARDS COMMITTEE

1 Legal Status

- 1.1 The Standards Committee is a committee established under Section 28 of the Localism Act 2011. The rules of political proportionality apply.

2 Role

- 2.1 The Standards Committee is responsible for
- (i) promoting and maintaining high standards of conduct by Members and statutory Co-opted Members of the authority; and
 - (ii) hearing and determining complaints about elected Members and Co-opted Members referred to it by the Monitoring Officer.

3 Membership

- 3.1 Six Elected Members of whom one member may be a member of the Cabinet, nominated by the Leader of the Council.

4 Quorum

- 4.1 Two Members.

5 Chair and Deputy Chair

- 5.1 Appointed by the Assembly. The Deputy Chair shall deputise for the Chair in his or her absence. A Member of the Cabinet may not Chair the Committee.

6 Frequency of Meetings

- 6.1 At least quarterly.

7 Venue and Time

- 7.1 The Civic Centre, Dagenham.
- 7.2 3.00 p.m. on Thursdays.

8 Terms of Reference

8.1 See Scheme of Delegation in Part C of the Constitution for details.

9 Appointment and Accountability

9.1 Accountable to the Assembly. The Committee will report to the Assembly on matters requiring the latter's approval.

9.2 The Chair (or in his/her absence the Deputy Chair) to be the overall spokesperson for the Committee at appropriate times (e.g. when reporting to the Assembly).

10 Employee Support

10.1 The Divisional Director of Legal & Democratic Services will provide the main support and general advice to the Committee.

10.2 The Chief Executive in consultation with the Corporate Director of Finance and Commercial Services (in the role as the Chief Financial Officer - Section 151 Officer) and the Monitoring Officer, will deal with any conduct or probity issues of concern.

10.3 The Chief Executive may also report to the Committee on any related matters of particular concern.

11 Rights and Responsibilities of the Independent Person

11.1 The Independent Person will attend meetings of the Standards Committee and Standards sub-committees and act in an advisory capacity only with no voting rights;

11.2 The Independent Person will have an advisory role in consultation with the Monitoring Officer at the Standards sub-committees in the determination of complaints against Elected Members;

11.3 The Independent Person may be consulted on other standards matters by all members including an Elected Member who is the subject of an allegation.

11.4 The Independent Person is expected to declare any interests and to respect confidentiality and observe the Council's Procedures, Codes and Protocols in their workings with the Council.

11.5 The Independent Person may claim reasonable expenses for attendance, travel and subsistence.

11.6 The Independent Person is appointed annually by the Assembly.

12. **Sub-Committee**

12.1 In accordance with the Section 28(6) and (7) of the Localism Act 2011 the Standards sub-committee is appointed to:

- (i) conduct hearings, and
- (ii) determine complaints.

12.2 The quorum for each sub-committee is three voting Members

12.3 Membership of each sub-committee will be appointed from Members of the Standards Committee

12.4 The Chair shall be elected by the sub-committee at each meeting

12.5 The terms of reference of the sub-committee are set out in the Scheme of Delegation in Part C of the Constitution;

12.6 Meeting dates for each of the sub-committees will be determined by the Monitoring Officer in consultation with the Chair of the Standards Committee and the Independent Person.

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(Contact Officer: Group Manager, Democratic Services: Tel: 020 8227 2135)

SECTION L - THE STANDARDS COMMITTEE

1. Promoting and maintaining high standards of conduct by Members and Co-opted Members of the authority.
2. Receiving reports from the Monitoring Officer and assessing the operation and effectiveness of the Code of Conduct for Members.
3. Advising on training or arranging to train Members and Co-opted Members on matters relating to the Code of Conduct for Members.
4. Assisting elected Members and Co-opted Members to observe the Code of Conduct for Members.
5. Receiving referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority's assessment criteria.
6. In consultation with the Monitoring Officer, appointing Standards sub-committees to hear and determine complaints about elected Members and Co-opted Members referred to it by the Monitoring Officer.
7. Advising the Council upon the contents of and requirements for codes/ protocols/other procedures relating to standards of conduct throughout the Council.
8. Maintaining oversight of the Council's arrangements for dealing with complaints;.
9. Informing the Assembly and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints.
10. Hearing and determining any appeals against refusal by the Monitoring Officer to grant dispensations.

Terms of Reference of the Standards Sub-Committee

- 11.1 To conduct a hearing into an allegation that an Elected Member or Co-opted Member has breached the Council's Code of Conduct.
- 11.2 Following a hearing, make one of the following findings:
 - (a) that the Member has not failed to comply with the Code of Conduct and no further action needs to be taken in respect of the matters considered at the hearing;
 - (b) that the Member has failed to comply with the Code of Conduct but that no further action needs to be taken in respect of the matters considered at the hearing;
 - (c) that the Member has failed to comply with the Code of Conduct and that a sanction and/or an informal resolution should be imposed.

- 11.3 The sub-committee may impose any action or combination of actions available to it, or impose any informal resolution or combination of informal resolutions as are available to it by law or policy.
- 11.4 After making a finding the sub-committee shall, as soon as reasonably practicable, provide written notice of its findings and the reasons for its decision to the Member and complainant.

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