

## **PART D - Standards Committee Terms of Reference**

### **1. General**

- 1.1 The Standards Committee is responsible for promoting and enforcing high standards of conduct by Members and co-opted Members and assisting Members and co-opted Members to observe the Council's code of conduct. The committee will have the roles and responsibilities set out in the Terms of Reference below.
- 1.2 The terms of reference will be formally approved by the Council.
- 1.3 These terms of reference shall be reviewed by the Council on the advice of the Committee and on a regular basis to ensure that they remain fit for purpose and in accordance with any relevant regulations and guidance. Any revisions will be agreed by the Council and by the Committee.

### **2. Membership, Chairmanship and Quorum**

Number of Members	10 (including 5 co-opted community representatives without voting rights)
Substitute Members Permitted	Yes
Political Balance Rules apply	No
Appointments/Removals from Office	By resolution of the Council
Restrictions on Membership	May not include members of the Executive
Restrictions on Chairmanship/Vice-Chairmanship	The Committee must be chaired by a Member of the Council
Quorum	3 members who are Members of the Council
Number of ordinary meetings per Council Year	At least 2 per year
Standing Sub-Committees	Hearings Panel

### **3. Definitions**

- 3.1 The following terms:

### **4. Terms of Reference**

- 3.1 The Standards Committee will have the following functions:
- (i) to promote and maintain high standards of conduct by Members, co-opted Members and Officers;

- (ii) to supervise the Council's compliance with legislative requirements in relation to the maintenance of standards of Member conduct;
- (iii) to assist Members and co-opted Members to observe the Members' Code of Conduct;
- (iv) to support the Monitoring Officer in discharging their role in respect of standards of conduct and behaviour;
- (v) to receive reports and advice as required from the Monitoring Officer and any Independent Persons appointed by the Council under section 28 of the Localism Act 2011;
- (vi) to review the operation and effectiveness of the Members' Code of Conduct and recommend any changes considered necessary to the Council for approval;
- (vii) to appoint, as required, from among its membership, a Hearing Sub-Committee to determine allegations of misconduct referred to the Committee by the Monitoring Officer;
- (viii) to keep under review the operation and effectiveness of the Standards Hearing Sub Committee arrangements and to recommend any changes considered necessary to the Council for approval;
- (ix) to review the Monitoring Officer's arrangements for the investigation of allegations of breaches of the Council's Code of Conduct by Members and co-opted Members and to make recommendations for appropriate changes to the Monitoring Officer;
- (x) to make recommendations to Council with regard to the appointment of Independent Persons;
- (xi) to advise (including advising parish councils in Somerset in respect of members of their councils) on the induction and training of Members and co-opted Members on standards of conduct;

- (xii) to review the operation and effectiveness of the Council's Officer Code of Conduct and make recommendations on proposed changes to the Council;
- (xiii) to determine, subject to the applicable law, the requirements for the registration of Members' and co-opted Members' interests;
- (xiv) to review the Monitoring Officer's maintenance of the Members' and officers' registers of interests and gifts / hospitality;
- (xv) to grant dispensations to Members and co-opted Members from requirements relating to interests as set out in the Member Code of Conduct, and where appropriate, the Planning Protocol. This function has also been delegated to the Monitoring Officer in relation to all grounds of dispensation with a power to refer back to the Standards Committee;
- (xvi) In accordance with the Council's Arrangements for Dealing with Standards Complaints, to assess and / or refer for investigation allegations of misconduct on the part of councillors and co-opted members of the Council, or parish councillors if requested by the Monitoring Officer;
- (xvii) to make an annual report to the Council on the performance of the Committee's functions.

#### **4. Membership**

4.1 The Committee comprises 10 Members as follows:

- (i) 5 Members Somerset Council; and
- (ii) up to 5 co-opted community representatives appointed by Somerset Council as non-voting members of which at least 3 should be members of parish councils in Somerset.

## **5. Committee Business**

5.4 The following may put items on the Committee's agenda:

- (i) the Committee itself;
- (ii) the Council;
- (iii) the Leader;
- (iv) the Chair of any Council Committee;
- (v) a member of the Committee, including a co-opted member
- (vi) the Chief Executive;
- (vii) the Monitoring Officer;
- (viii) the Chief Finance Officer / Section 151 Officer.