

## ARTICLE 9 - THE STANDARDS COMMITTEE

### 9.01 Standards Committee

The Council will establish a Standards Committee, to be known as the Epping Forest District Standards Committee.

### 9.02 Composition

#### (a) Membership

The Standards Committee will comprise:

- 3 Members of Council
- 3 Independent co-optees
- 3 Parish/Town Council representatives

#### Terms of Office

Each independent member shall serve for three years and be eligible for re-appointment. The Parish representatives shall be nominated by the Association of Local Councils (Essex Branch) for a term of one year and be eligible for nomination for further terms of one year. District Council representatives shall be appointed for terms of one year and be eligible for re-appointment.

#### (b) Independent Members

Independent members (including the Parish representative or the Parish deputy) will be entitled to vote at meetings.

#### (c) Parish Members

At least one parish member must be present when matters relating to parish councils or their members are being considered.

#### (d) Chairing the Committee

The Chairman of the Committee shall be appointed by the Committee from among those members who are not members of the District Council or of any Parish or Town Council.

***[The following paragraph is subject to approval by the Committee of the establishment of a vice-chairman to be considered earlier at this meeting]***

#### (e) Vice-Chairman of the Committee

*The Vice-Chairman of the Committee shall be appointed by the Committee from among those members who are not members of the District Council or of any Parish or Town Council.]*

### 9.03 Role and Function - General

The Standards Committee will have the following general roles and functions:

- (a) promoting and maintaining high standards of conduct by councillors and co-opted members;
- (b) assisting councillors and co-opted members to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation of the Members' Code of Conduct;
- (e) advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct;
- (f) granting dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- (g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter which is referred by an ethical standards officer to the monitoring officer; and
- (h) adjudication on complaints regarding the operation of District Council protocols annexed to the Constitution.

#### **9.04 Role and Function – Specific Responsibilities**

The Standards Committee will have the following specific responsibilities under the Local Government Act 2000 (as amended):

- (a) Section 56A – proposals for the establishment of joint Standards Committees for two or more authorities, including the Epping Forest District Council;
- (b) Section 57A – initial assessment of written allegations of breaches of the Code of Conduct;
- (c) Section 57B – reviews of any decision under Section 57A not to act on an allegation;
- (d) Section 57C – information to be given to the subject of an allegation;
- (e) Section 64 – receipt of reports by Ethical Standards Officers which are deemed to assist the Committee in the conduct of its functions;
- (f) Section 66 - matters referred to the Monitoring Officer for investigation and to the Standards Committee for adjudication
- (g) Section 66A – references to the Adjudication Panel for action in respect of misconduct.
- (h) Section 66B – provision, on behalf of the Council, of information on allegations and action taken to the Standards Board for England;

In respect of these functions, the Standards Committee shall comply with advice and regulations from the Secretary of State and advice and guidance from the Standards Board for England.

## **9.05 Role and Functions – Politically Restricted Posts**

The Standards Committee will have the following specific responsibilities under the Local Government and Housing Act 1989 (as amended):

- (a) Section 2(2) – consideration of inclusion of a post or posts in the list of politically restricted appointments;
- (b) Section 3A – grant and supervision of exemptions from political restrictions.

In exercising its powers and duties under this article, the Standards Committee shall comply with advice and regulations issued by the Secretary of State.

## **9.06 Operational Arrangements**

Details of operational arrangements for the Standards Committee are set out below:

### **Sub Committees**

Where the Committee establishes a Sub Committee for the purpose of carrying out any of its functions, the Committee must ensure that:

- (a) at least one of the independent members is a member of that Sub Committee;
- (b) at least one member of any of the Parish Councils for which the District Council are the responsible authority is a member of that Sub Committee when matters relating to those Parish Councils are being considered.

### **Meeting Frequency**

A minimum of four meetings per year will be held with additional meetings as and when required.

### **Democratic Practice**

Meetings will be held in public but with provision for private sessions where necessary and subject to a public explanation for excluding the public and press.

### **Exempt Business**

The Council's Access to Information rules shall apply to the proceedings of the Committee or of any Sub Committee established by it.

## **9.07 Scope of Duties**

The Standards Committee has the same functions in relation to Parish Councils and parish councillors as apply to the District Council and district councillors under this Article of the Constitution.