

Part 2 of the Constitution

Article 9 – The Standards Committee

9.01 Standards Committee

The Council will establish a Standards Committee and a Standards Hearings Sub-Committee.

The Constitution and Terms of Reference of the Standards Committee and its sub-committee(s) are set out in **Part 2, Schedule 3** of the Constitution.

9.02 Composition

Following the changes in the Localism Act 2011, the Standards Committee is now an ordinary committee of the Council appointed under S.101 of the Local Government Act 1972.

The membership of the Standards Committee is set out in **Part 2, Schedule 3** of the Constitution.

9.03 Role and Function

The Standards Committee will have the following roles and functions:

- (a) To promote and maintain high ethical standards of conduct for elected and co-opted Members.
- (b) To help elected and co-opted Members to observe the Members' Code of Conduct.
- (c) To give the Council advice on adoption or revision of the Members' Code of Conduct and on informal codes/protocols covering matters such as planning and Member/Officer relations.
- (d) To monitor the effectiveness of the Members' Code of Conduct.
- (e) To train or arrange training for elected and co-opted Members on matters relating to the Members' Code of Conduct.
- (f) To deal with complaints that elected and co-opted Members have breached the Members' Code of Conduct and in connection with this function:

- (i) To develop and adopt:
 - Assessment Criteria for dealing with complaints;
 - Policies for dealing with vexatious, persistent and anonymous complaints and requests by complainants for confidentiality;
 - Arrangements for dealing with complaints and publicising the arrangements;
 - Procedures for dealing with local investigations and
 - Such other provisions and procedures as may be required.
 - (ii) To establish and maintain a Hearings Sub-Committee.
- (g) To grant dispensations under S.33 Localism Act 2011.
- (h) To conduct Hearings and make determinations in respect of complaints that elected and co-opted Members have breached the Members' Code of Conduct in accordance with relevant statutory and Constitutional requirements and in connection with this function:
- (i) To develop and adopt procedures for dealing with such Hearings;
and
 - (ii) To establish and maintain a **Hearings Sub-Committee** with its own terms of reference.
- (i) To undertake the functions set out above in respect of Leigh-on-Sea Town Council.

Note: The procedures for dealing with Complaints against Members alleging a breach of the Members' Code of Conduct are set out **Part 4(i)** of the Constitution.

Part 3 Schedule 2 to the Constitution

7. Standards Committee

7.1 Membership

7 Members of the Council

Substitutes: Permitted in accordance with Standing Order 31

Proportionality: Applies

2 Members of Leigh-on-Sea Town Council (substitutes are permitted) as non-voting Members

3 Independent Persons (observers)

7.2 Quorum

As per Standing Order 38.1

7.3 Terms of Reference

These are set out in Article 9.03 in **Part 2** of the Constitution and the procedures for dealing with Complaints against Members alleging a breach of the Members' Code of Conduct are set out in **Part 4(i)** of the Constitution.

7.4 Status of Meetings

Open to the public (in part)

7.5 Reports to

The Council

7.6. Hearings Sub-Committee

Membership

3 Members of the Standards Committee

The Sub-Committee will be appointed by the Head of Legal & Democratic Services after consultation with the Chairman of the Standards Committee, from Members of the Standards Committee subject to Members availability

1 Member of Leigh on Sea Town Council as a non-voting co-opted Member when the Sub-Committee is dealing with allegations against a Town Councillor.

Independent Person (observer).

Quorum

3

Terms of Reference

To conduct Hearings and make determinations in respect of complaints against Members

Note: The Sub-Committee shall carry out these duties in accordance with the Complaints against Members Rules in **Part 4(i)** of the Constitution.

Status of Meetings

The normal principles of access to Council meetings apply.

Reports to

Standards Committee