

## **Council Constitution, Part 3.2 - Responsibility for Functions (Terms of Reference)**

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### **17 The Standards Committee**

#### **17.1 Composition**

- 17.1.1 The Standards Committee is composed of 9 Members. Its Membership includes:
- 17.1.2 5 “independent” Members, who are not either a Councillor or an Officer or the spouse of a Councillor or an Officer of this Council or any other relevant Authority as defined by the Local Government Act 2000, appointed in accordance with the procedure set out in the Standards Committees (Wales) Regulations 2001 (as amended);
- 17.1.3 3 Councillors other than the Leader and not more than 1 Member of the Executive; and
- 17.1.4 1 Community/Town Councillor.
- 17.1.5 The Standards Committee is not required to comply with Section 15 of the Local Government and Housing Act 1989 (duty to allocate to Political Groups).

#### **17.2 Term of Office**

- 17.2.1 Independent Members are appointed for a period of not less than four and not more than six years and may be reappointed for a consecutive term not exceeding four years.
- 17.2.2 Members of local authorities who are Members of the Standards Committee will have a term of office until the next ordinary local government election following their appointment. They may be reappointed for one further consecutive term.

#### **17.3 Quorum**

A meeting of the Standards Committee shall only be quorate when:

- 17.3.1 at least 3 Members, including the Chair, are present; and
- 17.3.2 at least half the Members present (including the Chair) are independent Members.

#### 17.4 Voting

- 17.4.1 Independent Members and Community Council Members will be entitled to vote at meetings.

#### 17.5 Chairing the Committee

- 17.5.1 Only an independent Member of the Standards Committee may be the Chair.
- 17.5.2 The Chair and Vice Chair will be elected by the Members of the Standards Committee for whichever is the shortest period of:
- (i) Not less than four years or no more than six years; or
  - (ii) Until the term of office of the independent Member comes to an end.

#### 17.6 Role and Function

The Standards Committee will have the following roles and functions:

- 17.6.1 promoting and maintaining high standards of conduct by Councillors and co-opted Members of the Authority;
- 17.6.2 assisting the Councillors and co-opted Members to observe the Members' Code of Conduct;
- 17.6.3 advising the Council on the adoption or revision of the Members' Code of Conduct;
- 17.6.4 monitoring the operation of the Members' Code of Conduct;
- 17.6.5 advising, training or arranging to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct;
- 17.6.6 to produce an annual report to Council describing how the Committee's functions have been discharged during the financial year;
- 17.6.7 to monitor compliance by leaders of political groups with their duties under s 52A(1) Local Government Act 2000;
- 17.6.8 to undertake those functions in relation to Community Councils and members of Community Councils in the area of City and County of Swansea as are required by law;
- 17.6.9 to grant dispensations to Members in accordance with the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001 and s 81(5) Local Government Act 2000;

17.6.10 to consider allegations of breaches of the Code of Conduct made against Members in accordance with the Standards Committee Hearing Procedure attached to these terms of reference;

17.6.11 determining requests for representation in proceedings under the Council's Indemnity Scheme for Members and Officers;

17.6.12 to consider any other matters placed before the Committee by the Monitoring Officer

17.6.13 to consider all appeals relating to the Unreasonable Customer Behaviour Policy

#### 17.7 Additional Role of Standards Committee

The Standards Committee shall maintain an overview of the operation and maintenance of the following;

17.7.1 The Protocol of Officer/ Councillor Relations

17.7.2 The Council's Whistleblowing Policy and general confidential reporting procedures.

17.7.3 The Member/Member Dispute Resolution Process

17.7.4 The Register of Members Interests

#### 17.8 Work Programme

The Committee will prepare a work programme, which will be reviewed and approved at each meeting.

#### 17.9 Rules of Procedure and Debate

17.9.1 The Council Procedure Rules will apply to the meetings of the Standards Committee.