

The Standards Committee

General

A Committee of the Council established to make recommendations in relations to ethics and the standards of conduct expected of elected and co-opted members of Thanet District Council and the Town and Parish Councils established in the administrative area of Thanet District Council.

Membership, Chairmanship and Quorum

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| Number of Members | Fourteen Members comprising seven District Councillors, four Independent Members (non councillors) and three Town/Parish Representatives |
| Substitute Members Permitted | Yes |
| Political Balance Rules apply | Yes - in respect of the seven District Councillors unless Council agrees to waive political balance with no member voting against |
| Appointments/Removals from Office | By resolution of full Council. |
| Restrictions on Membership | Cabinet Leader ineligible |
| Restrictions on Chairmanship/Vice-Chairmanship | None. |
| Quorum | Three |
| Number of ordinary meetings per Council Year | Meetings will be called as required |
| Standing Sub Committees | Standards (Assessment) Sub Committee and Standards (Hearings) Sub Committee |

Terms of Reference

To discharge the functions (other than those which are reserved to Council) as set out in Part 1, Chapter 7 of the Localism Act 2011 including:

1. To promote and maintain high standards of conduct by Members and co-opted Members of the District Council and to make recommendations to Council on improving standards.
2. To advise and assist Parish/Town Councils and Parish/Town Councillors to maintain high standards of conduct and to make recommendations to Parish/Town Councils on improving standards.
3. To advise the District Council on the adoption of or revisions to its Members Code of Conduct.
4. To advise, train or arrange to train District Members, Co-opted Members and Parish/Town Councillors on matters relating to the Members Code of Conduct.
5. To assist District Councillors, Co-opted Members and Parish/Town Councillors to observe their respective Codes of Conduct.

6. To monitor and assess the operation and effectiveness of the Members Code of Conduct and to review and manage the Arrangements for dealing with Code of Conduct Complaints.
7. To maintain oversight of the District Council's arrangements for dealing with Code of Conduct complaints.
8. To monitor and review the procedures for the Register of Members' Interests and declaring gifts and hospitality.
9. Recommending to Council for approval the terms of any other codes or protocols relating to matters of conduct, ethics or propriety, including without limitation the Protocol on Member/Officer Relations and the Protocol on the Guidance of Planning Committee Members and Officers and any alterations or amendments thereto.
10. Receiving the recommendations of the Constitution Review Working Party Working and recommending to Council the terms of the Constitution for the Governance of Thanet District Council
11. To receive quarterly reports (or less frequently if there are no complaints to report) from the Monitoring Officer on the number and nature of complaints received and action taken as a result.
12. To receive an annual report on the District] Council's ethical governance arrangements.
13. To grant dispensations pursuant to S33(2) of the Localism Act 2011 where:
 - 13.1 without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter.
 - 13.2 that the authority considers that the dispensation is in the interests of persons living in its area; or
 - 13.3 where the Committee considers that it is otherwise appropriate to grant a dispensation.
14. Responsibility for establishing the following Advisory Sub Committees to carry out the following functions:-
 - 14.1 A Standards Assessment Sub Committee with responsibility for making recommendations for making recommendations to the Monitoring Officer on whether in relation to a complaint alleging a failure to comply with the requirements of the Members Code of Conduct no further action should be taken in respect of the complaint or whether the informal disputes resolution procedure should be instigated or whether the complaint should be the subject of an investigation.
 - 14.2 A Standards Hearings Sub Committee with responsibility for conducting a hearing into a complaint that has been referred to it by the Monitoring Officer and determining whether there has been a

failure by a member to comply with the Members Code of Conduct and if so, to decide what action to take (if any) in relation thereto.

- 15 Responsibility for the overview of the Council's complaints procedure including ombudsman investigations.

Delegations

1. The matters referred to in Paragraphs 3 to 8 and 11-15 (inclusive) above.

STANDARDS (ASSESSMENT) SUB COMMITTEE

General

A Sub Committee of the Standards Committee established to make recommendations to the Monitoring Officer on whether in relation to a complaint alleging a failure to comply with the requirements of the Members Code of Conduct no further action should be taken in respect of the complaint or whether the informal disputes resolution procedure should be instigated or whether the complaint should be the subject of an investigation

Membership, Chairmanship and Quorum

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| Number of Members | Three members of the Standards Committee including in all cases an Independent Member and in the case of a complaint against a town or parish councillor, at least one Town/Parish Representative |
| Substitute Members Permitted | No |
| Political Balance Rules apply | No |
| Appointments/Removals from Office | The Monitoring Officer has delegated authority to appoint members on a per meeting basis |
| Restrictions on Membership | Reserved to members of the Standards Committee. |
| Restrictions on Chairmanship | No. |
| Quorum | Three |
| Number of ordinary meetings per Council Year | Meetings will be called as required |

Terms of Reference

1. When required to do so to conduct an initial assessment of a complaint alleging that an elected or co-opted Member of Thanet District Council or a Town or Parish Council established in Thanet failed to comply with the Code of Conduct for elected and co-opted Members adopted by their Council and make a recommendations to the Monitoring Officer that:
 - (i) No further action be taken in respect of the complaint; or

- (ii) The Informal Disputes Resolution Procedure be instigated; or
- (iii) The complaint should be the subject of an investigation.

2. To produce a written summary of its consideration of a complaint to include the main points considered, its conclusion on the complaint and the reasons for that conclusion and to make arrangements to ensure that such summary is available for inspection by members of the public at the Council Offices for a period of one year beginning with the date of the meeting that considered the complaint.

Delegations

All matters in the Terms of Reference are fully delegated.

STANDARDS (HEARINGS) SUB COMMITTEE

General

A Sub Committee of the Standards Committee established to conduct hearings into allegations referred to it by the Monitoring Officer and for making a determination on whether there has been a failure by an elected or co-opted member of Thanet District Council or a Town or Parish Council established in Thanet to comply with the Members Code of Conduct adopted by their Council and in the event of such determination to further determine what action (if any) to take in relation thereto

Membership, Chairmanship and Quorum

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| Number of Members | Three |
| Substitute Members Permitted | No |
| Political Balance Rules apply | No |
| Appointments/Removals from Office | The Monitoring Officer has delegated authority to appoint members on a per meeting basis. |
| Restrictions on Membership | Reserved to elected members of the Standards Committee |
| Restrictions on Chairmanship/Vice-Chairmanship | None A chairman will be elected at each meeting on a per meeting basis |
| Quorum | Three . |
| Number of ordinary meetings per Council Year | Meetings will be called as required |

Terms of Reference

1. To hold a hearing and make a determination in relation to a complaint referred to it by the Monitoring Officer alleging a failure by an elected or co-opted member of Thanet District Council or a Parish or Town Council established in Thanet the Co to comply with the requirements of the Members Code of Conduct adopted by their Council.

2. In any case where the Sub Committee determines that a member has failed to comply with the Members Code of Conduct adopted by their Council, to determine what action (if any) to take in respect of such failure
3. To give notice in writing of any of its determinations including the reasons for such recommendations.

Delegations

All matters in the Terms of Reference are fully delegated.

Notes

1. An Independent Person shall be entitled to attend any hearing and make representations to the Sub Committee before it makes any recommendations as to whether there has been a failure to comply with the Members Code of Conduct or in the event of such failure, what action to take in relation thereto.