

REPORT TO	ON
Governance Committee	12 April 2017

Jan 2017



TITLE	AUTHOR	Agenda item No.
Review of Constitution - Standards Committee	Interim Governance Manager	13

1. PURPOSE OF THE REPORT

1.1 At their meeting on the 1 February 2017 the Governance Committee resolved to review the Standards Committee Terms of Reference as part of their overall review of the Constitution.

1.2 This report provides Members the opportunity to comment on the proposals prior to their submission to the Council for approval at their meeting in May 2017.

2. RECOMMENDATIONS

That Members consider and amend as appropriate the draft Terms of Reference for the Standards Committee at Appendix B1 for submission to the Council for approval in May 2017.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities

Clean, green and safe		Strong and healthy communities	
Strong South Ribble in the heart of prosperous Lancashire		Efficient, effective and exceptional council	√

4. BACKGROUND TO THE REPORT

4.1 At their meeting in February the Governance Committee agreed to review the sections which relate to Standards Committee in the initial phase of the review of the Constitution and to allow the Standards Committee to comment on the papers prior to being considered by the Governance Committee at its April meeting.

5. STANDARDS COMMITTEE TERMS OF REFERENCE

5.1 The current Terms of Reference of the Committee are set out at Appendix A. This comprises an extract from Article 10 of the Council's Constitution and of Section 3D Committee Functions.

5.2 Both documents have now been reviewed and revised to take account of the provisions and changes brought in by the Localism Act 2011 (for example there is no longer a requirement to have Parish Councillors sit on the Committee) and amended versions are attached at Appendix B.

5.3 Appendix B has been designed to follow the guidelines laid down by the Governance Committee in reviewing the Constitution as a whole. This requires the adoption of consistent terminology and the use of plain English.

5.4 Duplication within the Constitution is also unhelpful and as a result it is proposed that all the information relating to the Standards Committee is captured in one document rather than in two different places as now.

5.5 The Standards Committee considered the draft at their meeting on the 23 February 2017 and were happy to approve Appendix B1 as drafted, without amendment.

5.6 The papers were subsequently reviewed by the Governance WG at its meeting on the 23 March 2017 and the amendments in italics and bold were requested.

5.7 Since the meeting the short description of the role of the Committee has also been added at section one and the Membership of the Committee has been altered at 2(b) from “Up to a maximum of 12” to 7, which reflects current practice. The composition of the Hearing Panel at section 4(b) has also been reduced from 5 to 3 to reflect the reduced size of the overall Committee.

5.7 The amended Terms of Reference are as follows:

- (a) To promote and maintain high standards of conduct by members, co-opted members, town and parish councillors and employees
- (b) To advise the Council on the adoption or revision of the [Code of Conduct for Elected Members](#)
- (c) To monitor the operation of the Codes of Conduct
- (e) To ensure members, co-opted members and town and parish councillors receive appropriate advice and training on registration of interests, the code of conduct and standards of behaviour generally
- (f) To decide on applications for dispensations in respect of members interests
- (g) To oversee the production of the Standards Annual Report and recommend it to Council
- (h) To determine allegations received in accordance with the requirements of the Localism Act 2011 and supporting regulations

5.8 The main changes to note in the rest of the document are as follows:

Heading	Summary	Rationale
1. Standards Committee	Briefly describes role of Committee in promoting & maintaining high standards of conduct.	Short introduction in accordance with new template to standardise information with a brief overview of the purpose and function of the Committee.

2. Membership	Sets out the rules for membership of the Committee including the requirement for political proportionality	Within current version.
3 Terms of Reference	Sets out amended Terms of Reference (see para 5.7 above)	Updated in line with current legislation.
4. Sub Committee	Provides for the Monitoring Officer to convene a Hearing Panel when required to conduct hearings & determine allegations.	Updated in line with current legislation
5. Independent Person	Outlines the requirement within the Localism Act 2011 to appoint at least one Independent Person who views must be sought in relation to member conduct issues.	Simplifies wording within current version.

6. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

6.1 Comments of the Statutory Finance Officer

There are no financial implications arising from this report.

6.2 Comments of the Monitoring Officer

All local authorities are required to have a written Constitution which must be kept under regular review and publicised. Any amendments to the constitution require the approval of full Council.

Other implications:	
Risk	There are no specific risk implications arising from this report
Equality	There are no specific equality implications arising from this report
HR	There are no specific HR implications arising from this report

7. BACKGROUND DOCUMENTS

South Ribble Constitution

Appendix A 1 - Article 10 Standards Committee and A2 - extract from Section 3 Functions

Appendix B – proposed draft Terms of Reference