

AGENDA ITEM 14
STANDARDS COMMITTEE – 15TH AUGUST 2012
DRAFT STANDARDS COMMITTEE WEB PAGES

Standards Committee

Following the changes made by the Localism Act 2011, the Council has decided to establish a Standards Committee. There is no statutory obligation to have a Standards Committee. The Standards Committee comprises of six elected members and two non elected co-opted members. The co-optees are non voting members of the Committee. The Committee is chaired by one of the co-optees. In relation to the elected members, the Committee is politically balanced.

The Standards Committee comprises the following members:

- John Yates (Chairman) (non elected co-optee) 🗳️ Register of Interests **(new one needed)**
- Jean Jaffray (non elected co-optee) 🗳️ Register of Interests **(new one needed)**
- 4 Labour Councillors
- 1 Independent Councillor
- 1 Residents Association member

Its Terms of Reference **the new ones approved at Council on 25th July 2012 need including**, Rules and Procedures and the Conduct of its meetings are contained in Chapter 3 of the Council's Constitution. The Terms of Reference include functions in addition to the ethical framework.

The Committee is involved in achieving and promoting high standards of conduct by councillors through training and monitoring complaints. A Sub Committee of Standards Committee will hold a hearing to consider the outcome of the investigation into any allegation of misconduct or breaches of Codes and Protocols. It will also hold hearings to consider the outcome of the investigation into any allegations that town and parish councillors have breached their Code of Conduct.

Ultimately any hearings into alleged breaches of the code of conduct for District or parish or town councils can be dealt with by a sub Committee of the Standards Committee. Not all cases result in hearings. Not all hearings result in a finding that a breach has occurred.

A Sub Committee which decides that the code has been breached may decide that the member should be censured, should receive training or should give an

apology. In the case of a Parish or Town Council Councillor, the relevant Parish or Town Councillor may decide not to administer the result.

If you have a complaint or a concern about the conduct of one of the District's councillors or a parish or town councillor and you think they may have breached the code, you may be able to make a complaint to the Standards Committee. This should be done in writing on a complaint form and sent to the Monitoring Officer (details below).

The way complaints will be dealt with.

Your complaint will be considered by the Monitoring Officer in consultation with one of the Independent Persons ([link](#)). The outcome will be one of the following

- That the complaint does not disclose a potential breach of the code of conduct and that no action will be taken.
- That the complaint discloses a breach, but that the breach is better dealt with by way of mediation, training or discussion with a party group Leader.
- That the complaint should be investigated.

This is shown on the flow chart ([link](#)) approved by Council.

Once a decision has been made, the complainant and the member the subject of the complaint will receive the decision in writing.

The complaint has to be that the Councillor has breached the Code of Conduct whilst the Councillor is carrying out his or her duties as a Councillor. It cannot be about a Council decision or a service delivery issue. Potential complainants should ensure that they have clearly identified the breaches of the Code of Conduct they are alleging against the Councillor. A failure to do so could result in the complaint being rejected.

To discuss your concern or to obtain a hard copy complaint form direct, please contact Sarah Sternberg, Solicitor to the Council and Monitoring Officer 01246 242414 or email sarah.sternberg@bolsover.gov.uk; or Alan Turner, the Deputy Monitoring Officer 01246 242418 alan.turner@bolsover.gov.uk

Other members of Legal Services may be able to help in the absence of both the Monitoring Officer and the Deputy Monitoring Officer.

Last Updated on xxx, xx xxx 2011