

Committee: Standards Committee	Date: 14 June 2013
Subject: Standards Committee – Terms of Reference and Frequency of meetings	Public
Report of: Town Clerk	For Decision
<u>Summary</u>	
<p>1. The purpose of this report is for the Standards Committee to consider its Terms of Reference and the frequency of meetings. The Committee is also asked to receive meeting dates for the remainder of 2013 and to approve the meeting dates for 2014.</p> <p>2. Details of the composition and terms of reference of the Standards Committee are set out below.</p>	
<u>Recommendations</u>	
<p>3. It is recommended that:-</p> <ul style="list-style-type: none"> (a) Members note the amendments to the Standards Committee’s Terms of Reference in respect of political restrictions (Appendix 2); (b) Members consider the frequency of the Committee’s meetings; and (c) Members approve the proposed meeting dates for 2014. 	

Main Report

4. This report considers the terms of reference and composition of the Standards Committee, including the Committee’s Co-opted Members and the Independent Persons.
5. The Committee is also asked to consider the frequency of its meetings. It is proposed that the Standards Committee will meet no more than 3 times per year, subject to the business coming before the Committee.
6. The remaining 2013 dates are sets out at paragraph 20. The suggested dates for 2014, which are to be approved by the Committee, are set out in paragraph 22.

Standards Committee –Terms of Reference

7. The Standard’s Committee’s Terms of Reference, as agreed by the Court of Common Council at its meeting on 25th April 2013 are set out at **Appendix 1**.
8. In respect of paragraph (g) of the terms of reference (**Appendix 1**) and the Committee’s remit in relation to politically restricted posts, the legal position has changed following the introduction of the Localism Act in April 2011.

9. The 1989 Local Government and Housing Act determined that the Secretary of State appoint someone to consider matters in respect of politically restricted posts. Following the introduction of the Local Government Act 2000, this role was given to Standards Committees. The requirement to have a Standards Committee ceased following the introduction of the Localism Act 2011, at which point this role was transferred to the Head of Paid Service (Town Clerk). Consequently, these matters no longer fall within the remit of the Standards Committee and the terms of reference have been revised accordingly, as set out in **Appendix 2**.

Standards Committee – Composition

10. The Standard's Committee's composition, as agreed by the Court of common Council at its meeting on 25th April 2013 is:-
 - one Alderman appointed by the Court of Aldermen
 - five Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
 - four representatives (with no voting rights) who must not be Members of the Court of Common Council or employees of the City of London Corporation
11. None of the appointed shall serve on the Committee for more than two terms, a maximum of eight years.
12. Three independent persons are also appointed pursuant to the Localism Act 2011. As in previous years, it is proposed that Independent Persons be invited to attend all future meetings of the Committee (with no voting).
13. The quorum consists of three Members, at least one of whom must be a non-Common Council Member.

Standards Committee – 2013/2014 Membership

14. The Standard's Committee's membership in 2013/2014, as agreed by the Court of Common Council at its meeting on 16th May 2013, is as follows:-

Alderman

Alderman Julian Malins Q.C.

Commoners

The Revd. Dr. Martin Dudley

Deputy Robin Anthony Eve, O.B.E (*for two years*)

Oliver Arthur Wynlayne Lodge, T.D., B.Sc

Deputy Charles Edward Lord, O.B.E., J.P. (*for two years*)

[*Vacancy*]

Non-Common Council Members

Howard Lederman (appointed for a four year term to expire in July 2013)

Felicity Lusk (appointed for a four year term expiring in October 2013)

Alan Graham (appointed for a four year term to expire in March 2014)

[Vacancy]

15. The Corporation's Independent Persons are Neil Asten, Anju Sanehi and Chris Taylor (appointed pursuant to the Localism Act 2011).
16. The membership of the Committee was amended on 16th May 2013, following the Court of Common Council's approval of the White paper 26th April 2013, to reflect a revision to the Aldermanic appointment to the Committee.
17. In respect of the current vacancy for a Co-opted Member, this vacancy will be advertised and appointed to in the normal manner over the coming months.
18. In respect of the current vacancy for a Commoner, this will be advertised in the normal manner ahead of the meeting of the Court of Common Council on 13th June 2013.

Meetings of the Standards Committee

19. Historically the Committee has met between two to three times per year, although more meetings were scheduled in 2012/13 to accommodate discussions about the Localism agenda. The meetings have generally been scheduled to take place on a Friday morning.
20. In 2013 the following meeting dates were previously approved by the Committee:
 - 7th May 2013 – meeting cancelled
 - 14th June 2013
 - 13th September 2013
 - 8th November 2013
21. In light of the Silent Ceremony taking place on the 8th November 2013 and in order to bring the frequency of meetings more in line with previous years, it is proposed that the November meeting be cancelled.
22. The proposed 2014/15 meeting dates below have not yet been scheduled and are therefore subject to approval by the Committee. It is further proposed that where there is no business, and with the Chairman's consent, meetings may be cancelled.
 - Friday, 31st January 2014
 - Friday, 16th May 2014
 - Friday, 5th September 2014
 - *Friday, 30th January 2015.*

23. Subject to the Committee's views regarding the frequency of future meetings and the pattern of meetings in 2014, details regarding the 2015 meeting dates will be circulated in due course.

Background Papers:-

Appointment of Members on Committees Court report (White Paper), April 2013

Appendices:-

Appendix 1 – Standards Committee's Terms of Reference, as approved by the Court of Common Council on 26th April 2013

Appendix 2 – Revised Terms of Reference for the Standards Committee

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Standards Committee - Terms of Reference

To be responsible for:-

- (a) promoting and maintaining high standards of conduct by Members and Co-opted Members of the City of London Corporation and to assist Members and Co-opted Members to observe the City of London Corporation's Code of Conduct;
- (b) preparing, keeping under review and monitoring the City of London Corporation's Member Code of Conduct and making recommendations to the Court of Common Council in respect of the adoption or revision, as appropriate, of such Code of Conduct;
- (c) keeping under review and monitoring the City of London Corporation's Employee Code of Conduct;
- (d) advising and training Members and Co-opted Members on matters relating to the City of London Corporation's Code of Conduct;
- (e) dealing with any allegations of breach of the City of London Corporation's Code of Conduct in respect of Members and Co-opted Members, and in particular:
 - (i) to determine whether any allegation should be investigated by or on behalf of the Town Clerk or the Monitoring Officer and their findings reported to the Committee;
 - (ii) in relation to any allegation that it has decided to investigate, to determine whether there has been a breach of the Code of Conduct, taking into account the views of an Independent Person appointed under the Localism Act 2011;
 - (iii) where there has been a breach of the Code of Conduct, to determine the appropriate sanction, and where this involves removal of a Member or Co-opted Member from any committee or sub-committee, to make an appropriate recommendation to the relevant appointing body;
 - (iv) to determine any appeal from a Member or Co-opted Member in relation to a finding that they have breached the Code of Conduct and/or in relation to the sanction imposed.

- (f) monitoring all complaints referred to it and to prepare an annual report on its activity for submission to the Court of Common Council; and

- (g) *in relation to the City of London Corporation's role as a Local Authority and Police Authority, to:-*
 - (i) consider any application for exemption from political restriction that is made to the Committee in respect of any post by the holder of that post;*
 - (ii) where appropriate, give directions requiring the authority to include a post in the list of politically restricted posts that it maintains; and*
 - (iii) direct that a post should not be politically restricted where an application has been made and the Committee is satisfied that the duties of the post involve neither providing advice to the authority or its Committees nor speaking on behalf of the authority to journalists and broadcasters.*

Standards Committee – Revised Terms of Reference

To be responsible for:-

- (a) promoting and maintaining high standards of conduct by Members and Co-opted Members of the City of London Corporation and to assist Members and Co-opted Members to observe the City of London Corporation's Code of Conduct;
- (b) preparing, keeping under review and monitoring the City of London Corporation's Member Code of Conduct and making recommendations to the Court of Common Council in respect of the adoption or revision, as appropriate, of such Code of Conduct;
- (c) keeping under review and monitoring the City of London Corporation's Employee Code of Conduct;
- (d) advising and training Members and Co-opted Members on matters relating to the City of London Corporation's Code of Conduct;
- (e) dealing with any allegations of breach of the City of London Corporation's Code of Conduct in respect of Members and Co-opted Members, and in particular:
 - (i) to determine whether any allegation should be investigated by or on behalf of the Town Clerk or the Monitoring Officer and their findings reported to the Committee;
 - (ii) in relation to any allegation that it has decided to investigate, to determine whether there has been a breach of the Code of Conduct, taking into account the views of an Independent Person appointed under the Localism Act 2011;
 - (iii) where there has been a breach of the Code of Conduct, to determine the appropriate sanction, and where this involves removal of a Member or Co-opted Member from any committee or sub-committee, to make an appropriate recommendation to the relevant appointing body;
 - (iv) to determine any appeal from a Member or Co-opted Member in relation to a finding that they have breached the Code of Conduct and/or in relation to the sanction imposed.
- (f) monitoring all complaints referred to it and to prepare an annual report on its activity for submission to the Court of Common Council.