

Appendix 1

Standards Committee and Standards Sub Committees – Terms of Reference

The Standards Committee

The Standards Committee is 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) whether 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 or broadcasters.

Dispensations Sub (Standards) Committee – Terms of Reference

- (a) The Dispensations Sub Committee is established to determine written requests for dispensations from Members or Co-opted Members to take part in any discussion and/or vote on a matter in which they have a disclosable pecuniary interest in accordance with section 33 of the Localism Act 2011.
- (b) Upon receipt of a written request for a dispensation, a meeting of the Sub Committee will be convened (unless a meeting of the Standards Committee is scheduled to take place within a reasonable timeframe), to consider the details of the request and will then do one of the following:-
 - (i) grant a dispensation (in whole or in part) for a specified period not exceeding four years;
 - (ii) reject the request for a dispensation; or
 - (iii) seek further information regarding the request ahead of further consideration at a newly convened meeting, or in accordance with the City Corporation's urgency provisions (Standing Order No. 41).
- (c) The Town Clerk will advise the Member seeking a dispensation of the Sub Committee's decision upon the conclusion of the meeting and will retain a list of action taken in respect of all written requests considered by the Sub Committee.
- (d) The Sub Committee will consist of any three elected Members (voting) and one Co-opted Member (non-voting).
- (e) The quorum shall consist of any three elected Members.

STANDARDS ASSESSMENT, HEARING AND APPEAL SUB-COMMITTEES

In order to carry out its functions efficiently and effectively, and to avoid any conflicts of interest, the Standards Committee has established three separate Sub-Committees for the different stages of the complaints process, being Assessment, Hearing and Appeal Sub-Committees.

Assessment Sub (Standards) Committee

- (a) The Assessment Sub-Committee is established to receive and assess allegations that a member of the City has failed, or may have failed, to comply with the code of conduct.
- (b) Upon receipt of each allegation and any accompanying report by the monitoring officer, the Sub-Committee will make an initial assessment of the allegation and will then do one of the following:-
 - (i) refer the allegation to the monitoring officer, with an instruction that he arrange a formal investigation of the allegation; or
 - (ii) direct the monitoring officer to arrange training, conciliation or other appropriate alternative steps; or
 - (iii) decide that no action should be taken in respect of the allegation.

Hearing Sub (Standards) Committee

- (a) To hear and determine any allegation that a member has failed, or may have failed, to comply with the code of conduct for members;
- (b) Following the hearing, to make one of the following findings:-
 - (i) that the subject member has not failed to comply with the code of conduct;
 - (ii) that the subject member has failed to comply with the code of conduct but that no action needs to be taken in respect of the matters considered at the hearing;
 - (iii) that the subject member has failed to comply with the code of conduct and that a sanction should be imposed.
- (c) If the Sub-Committee makes a finding under paragraph b) (iii), it may impose any one of or any combination of sanctions that are available, as set out below.

Appeal Sub (Standards) Committee

- (a) To determine any appeal from a member in relation to a finding of the Hearing Sub-Committee that they have breached the code of conduct and/or in relation to the sanction imposed, in accordance with paragraph b); and
- (b) Having due regard to the decision of the Hearing Sub-Committee, to substitute any alternative decision for that decision that the Appeal Sub-Committee considers is appropriate, being a decision that the Hearing Sub-Committee had the power to make.