

Committee: Standards Committee	Date: 25 January 2019
Subject: Standards Committee – Terms of Reference and Frequency of meetings	Public
Report of: Town Clerk	For Decision

Summary

1. The purpose of this report is for the Standards Committee to consider and approve their terms of reference and that of their sub committees and the frequency of meetings, ahead of submission of the White Paper to the Court of Common Council on 25 April 2019. The Committee are also asked to receive meeting dates for the remainder of 2019 and for 2020.
2. Details of the composition of the Standards Committee and their terms of reference are set out below.

Recommendations

3. It is recommended that:-
 - (a) subject to any comments, the terms of reference of the Committee be approved for submission to the Court of Common Council, as set out at Appendix 1;
 - (b) Members consider the frequency of the Committee's meetings; and
 - (c) Members note the scheduled meeting dates for the remainder of 20189 and for 2020.

Main Report

4. This report sets out the terms of reference and composition of the Standards Committee, including the Committee's Co-opted Members and the Independent Persons.
5. The Committee are also asked to note the frequency of their meetings and the meeting dates scheduled for the remainder of 20189 and for 2020, as set out in paragraph 13.

Standards Committee –Terms of Reference

6. The Standard's Committee's terms of reference, as agreed by the Court of Common Council at its meeting on 19 April 2018, and subsequently at the Court of Common Council meeting of 19 July 2018 to deal with changes required following the outcome of the review of the Standards framework are

set out at **Appendix 1**. The terms of reference will be submitted to the Court of Common Council for approval on 25 April 2019 ahead of the start of the new municipal year.

Standards Committee – Composition

7. The Standard's Committee's composition, as agreed by the Court of Common Council at its meeting on 19 April 2018 is:-
 - two Aldermen appointed by the Court of Aldermen
 - ten Commoners 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.
8. None of the appointed shall serve on the Committee for more than eight years.
9. Three independent persons are also appointed pursuant to the Localism Act 2011. In previous years, Independent Persons were invited to attend all future meetings of the Committee (in an observer capacity). These attendance arrangements were, however, part of the review of the Standards Framework carried out by the Standards Regime Working Party in 2017/18 where it was decided that Independent Persons should no longer continue to routinely attend Standards Committee meetings particularly so as to reinforce their independence from that Committee. Whilst the Independent Persons' input is important and valued, the Working Party were of the opinion that in the interest of independence they should instead be invited to attend a separate briefing session with the Chairman, Deputy Chairman and relevant Officers of the Standards Committee every six months in order to be updated on their activities. Under this new approach, the Independent Persons also continue to receive all Standards Committee agendas and minutes. It should be noted that Independent Persons are at liberty to attend open Standards Committee meetings as members of the public should they so wish.
10. The quorum consists of three Members, at least one of whom must be a non-Common Council Member.

Standards Committee – 2018/2019 Membership

11. The Standard's Committee's membership in 2018/2019, as agreed by the Court of Common Council at its meeting on 19 April 2018, was as follows:-

Alderman

David Graves

Vacancy

Common Councilmen

Christopher Boden, *for two years*
Kevin Malcolm Everett, Deputy, *for two years*
Charles Edward Lord, OBE, JP, Deputy
Ann Holmes, *for three years*
Jamie Ingham Clark, Deputy
Oliver Arthur Wynlayne Lodge
Oliver Sells, Q.C. , *for three years*
Caroline Kordai Addy
Michael Hudson
Vacancy

Non-Common Council Members

Judith Barnes (appointed for a four-year term expiring in March 2022)
Mark Greenburgh (appointed for a four-year term expiring in December 2018)
Dan Large (appointed for a four-year term expiring in December 2018)
Vacancy

12. The Corporation's Independent Persons are Neil Asten, Anju Sanehi and Chris Taylor (appointed pursuant to the Localism Act 2011).

Meetings of the Standards Committee

13. In 2013 and every year subsequent to this, the Committee confirmed that 3 scheduled meetings of the Committee per annum were sufficient. On that basis the following meeting dates were previously confirmed for 2019 and 2020:
- Friday, 3 May 2019 (11.00am)
 - Friday, 4 October 2019 (11.00am)
 - Friday, 24 January 2020 (11.00am)
 - Friday, 8 May 2020 (11.00am)
 - Friday 2 October 2020 (11.00am)
14. Where there is no business, and with the Chairman's consent, meetings may be cancelled.
15. Where meetings of the Sub Committees are required, these will be scheduled on an ad hoc basis throughout the year.

Standards Committee – current Sub Committees' terms of reference

16. **Dispensations Sub (Standards) Committee**
Established on 13th September 2013, the principal function of the Dispensations Sub Committee is to consider requests for a dispensation from elected Members and Co-opted Members to speak and/or vote on a specific matter(s), in-line with the City of London Corporation's criterion. Consequently, the Sub Committee will meet on an ad hoc basis as and when requests for a dispensation are received.

17. The terms of reference of this Sub Committee were recently reviewed and approved by the Standards Committee in October 2018.
18. It is intended that the following terms of reference come into effect from the implementation of the new dispensations policy and guidance which is the subject of a separate report on this agenda:

Note: The Standards Committee will elect on an annual basis a Chairman and two Deputy Chairmen of the Sub Committee and each meeting of the Sub Committee will be chaired by one of those persons subject to (d) below.

- a) The Dispensations Sub Committee is established to determine written requests for dispensations from Members (including a Co-opted Member) 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 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 Members of any meeting of the Sub Committee will not be Members of any Committee / Sub Committee that the dispensation request(s) relates to.
- e) The Sub Committee will consist of three elected Members (voting) and one Co-opted Member (non-voting) to be drawn from the membership of the Standards Committee, subject to (d) above and the provisions for each meeting to be chaired by either the Chairman or one of the two Deputy Chairmen elected annually by the Standards Committee also referred to above.
- f) The quorum shall consist of any three Members.

Allegations of breaches of the Members' Code of Conduct - Assessment, Hearing and Appeal Sub Committees

18. The outcome of the review of the Standards framework in 2017/18 necessitated some amendments to the previous arrangements. The review outcome approved the appointment of a Standards Appeal Committee (12 members, comprising elected Aldermen and Common Councilmen of the Corporation, who are not members of the Standards Committee) to conduct the appeals process of the complaints procedure, and the membership of that committee and its terms of reference is now determined and approved by the Court of Common Council/
19. The Localism Act 2011 requires the City of London Corporation to have in place arrangements under which written allegations of a breach of the Members' Code of Conduct can be investigated and decisions on those allegations taken. These arrangements apply to both Members and Co-opted Members.
20. In order to carry out its functions efficiently and effectively, and to avoid any conflicts of interest, the Standards Committee had previously established three separate Sub-Committees for the different stages of the complaints process, being Assessment, Hearing and Appeal Sub-Committees. As stated above, a revised complaints procedure has now been introduced with the appeals process under the control of the Standards Appeal Committee.
21. The current terms of reference for each of the Standard's Committee's complaints procedure sub are set out at **Appendix 2**.

Background Papers:-

- Appointment of Members on Committees Court report (White Paper), April 2018
- Review of Standards Regime – Court of Common Council, January 2018
- Standards Committee – Amendments to Terms of References – Court of Common Council July 2018

Appendices:-

- **Appendix 1** – Standards Committee's Terms of Reference, as approved by the Court of Common Council in April 2018/July 2018.
- **Appendix 2** - The terms of reference for the Standards Committee's current sub committees.

Gemma Stokley

Town Clerk's Department

T: 020 7332 3414

E: gemma.stokley@cityoflondon.gov.uk