

**Appendix D – Consequential Amendments to the Constitution following
Review of the Arrangements for Dealing with Councillor Complaints**

Part 2

SECTION D7 - AUDIT AND GOVERNANCE COMMITTEE

8 STANDARDS FUNCTIONS

8.1 To assist the Council in fulfilling its duty under the Localism Act 2011 to promote and maintain high standards of conduct by **Councillors** and **co-opted Councillors** of **District** and parish councils.

8.2 To advise the Council on the adoption or revision of its **Councillors' Code of Conduct** in **Part 4**.

8.3 To monitor and advise the Council about the operation of its **Councillors' Code of Conduct** in **Part 4** in light of best practice and any changes in the law.

8.4 Advising, training or arranging to train councillors and co-opted members on matters relating to the **Councillors' Code of Conduct** in **Part 4**.

8.5 Dealing with any report from the **Monitoring Officer** on any matter concerning governance.

8.6 To establish **Sub-Committees** for the assessment or determination of matters concerning allegations in relation to Councillor conduct.

8.7 To grant **Dispensations** to **Councillors** who require such Dispensations for more than one meeting or on more than one occasion from requirements relating to interests set out in the **Councillors' Code of Conduct** in **Part 4** as appropriate.

8.8 To advise the Council on, and review as necessary, the arrangements for dealing with complaints or any local **Protocols** regulating the conduct of **Councillors** and to deal with allegations of breach of any such protocol.

8.9 To consider and make recommendations to **Full Council** on any other matter that may be referred to the **Audit and Governance Committee** relating to the conduct and training of Councillors.

8.10 To consider amendments to the **Constitution** and recommend proposals to **Full Council** for approval, except where specifically delegated to the **Monitoring Officer**.

8.11 To undertake an annual review of the **Corporate Governance Policies** and make recommendations to **Cabinet**.

Local Assessment of Complaints About Councillor Conduct

8.12 **Sub-Committees** of the **Audit and Governance Committee** are formed on an ad hoc basis to deal with local assessment of **Councillor** conduct complaints.

8.13 All **Audit and Governance Committee** members will form a pool from which members will be drawn based on their availability and the requirements of the particular **Sub-Committee** as and when required.

8.14 The **Sub-Committee** may co-opt at least one parish councillor when decisions are taken concerning a parish matter.

8.15 The **Sub-Committee** may co-opt at least one **Independent Person** as appropriate.

~~8.16 No member who considered a complaint at the initial **Assessment/ Determination Sub-Committee** may consider the same complaint at the **Review Sub-Committee**.~~

~~8.17~~16 The **Quorum** of the **Sub-Committees** is three **Councillors**.

~~8.18~~17 The **Chair** of each **Sub-Committee** will be a **Councillor**.

~~8.19~~18 The **Sub-Committees** and their functions are set out below:

Assessment Sub-Committee

Assessment of complaints in accordance with the **Council's Arrangements for Dealing with Code of Conduct Complaints** and to either:

- Decide that there is not enough information to make a decision;
- Decide that no action should be taken in respect of the complaint;
- Refer the matter for full investigation; or
- Refer the matter for other action.

~~Review Sub-Committee~~

~~Consideration of requests for a review in accordance with the **Council's Arrangements for Dealing with Code of Conduct Complaints**.~~

Determinations Sub-Committee

To receive reports from the **Monitoring Officer** or his/her appointed investigating officer and to decide either:

- to determine finding of no failure to comply with the **Councillors' Code of Conduct** in **Part 4**;
- to determine finding of failure to comply with the **Councillors' Code of Conduct** in **Part 4** and impose relevant sanctions; or
- Refer the matter for other action;

in accordance with the **Council's Arrangements for Dealing with Code of Conduct Complaints**.

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~~Review Sub-Committee~~

~~A **Sub-Committee** of the **Audit and Governance Committee** that hears requests for reviews of decisions of the **Assessment Sub-Committee**~~