

SECTION 8 – THE STANDARDS COMMITTEE

The Council will establish a Standards Committee to exercise the functions set out in Rule 8.8. The Standards Committee will appoint a Standards Community Sub-Committee to exercise the functions set out in Rule 8.8 insofar as they affect Town and Community Councils. The Standards Committee and the Sub-Committee are exempt from the requirements to achieve as far as reasonably practicable a political balance on committees which apply to other Council committees.

Composition

Membership of the Standards Committee.

8.1 The Standards Committee is composed of 9 Members. Its Membership includes:

8.1.1 5 'Independent' (Lay) Members.

The following persons are not eligible to serve as Independent (Lay) Members of the Standards Committee:

- (a) A person who is a Councillor or Officer of Powys County Council or the spouse or civil partner of a Councillor or an Officer;
- (b) A person who has been, but is no longer a Councillor or Officer of Powys County Council;
- (c) A person who is a member or an officer, or the spouse or civil partner of a member or an officer of:

Any other County Council;
Any County Borough Council;
Any National Park Authority;
Any Fire Authority;
Any Community Council.

- (d) For the period of 12 months commencing with the date on which that person ceased to be a member or officer of any of the bodies listed below, a person who has been, but is no longer a member or officer of;

Any other County Council;
Any other County Borough Council;
A National Park Authority;
A Fire Authority.

8.1.2 4 Councillors (other than the Cabinet Leader including not more than 1 member of the Cabinet) appointed by the County Council at the Annual Meeting following the ordinary local government elections for the County Council, or at an ordinary meeting in the event of a vacancy occurring.

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Membership of the Standards Community Sub-Committee.

8.2.1 The sub-committee will comprise of:

- The five Independent (Lay) Members of the Standards Committee;
- One County Councillor; and
- Three community committee members appointed in accordance with Rule 8.2.2. below.

8.2.2 Nominations will be sought from all Town and Community Councils in Powys for three community committee members, one from each Shire. Following the close of nominations a ballot will be held and those receiving the majority of the votes cast in each Shire will be appointed by the Standards Committee to the Standards Community Sub-Committee. (The County Council delegated the responsibility for making these appointments to the Standards Committee in July 2008)

Term of Office

8.3.1 Independent (Lay) Members are appointed for a period of not less than four and not more than six years and may be reappointed for a consecutive term not exceeding four years.

8.3.2 Councillors who are also Members of the Standards Committee will have a term of office of no more than four years or until the next ordinary local government election following their appointment, whichever is the shorter. They may be reappointed for one further consecutive term. A Councillor ceases to be a Member of the Standards Committee upon ceasing to be a Councillor.

Quorum of Standards Committee

8.4 A meeting of the Standards Committee shall only be quorate when:

8.4.1 at least 3 Members, including the Chair, are present; and

8.4.2 at least half the Members present (including the Chair) are Independent (Lay) Members.

Quorum of Standards the Community Sub-Committee

8.5 A meeting of the Standards Community Sub-Committee shall only be quorate when:

8.5.1 at least three members, including the chair, are present, and

8.5.2 at least half the members present (including the chair) are Independent (Lay) Members

8.5.3 For the purposes of this Rule “community committee member” means a member of the Standards Community Sub-Committee who is also a member of a community council within Powys

8.5.4 Where the Standards Community Sub-Committee considers any matter relating to a Town or Community Council in Powys or a Councillor of such a Town or Community Council, any member of the Standards Community Sub-Committee (whether County Councillor or Community Committee Member) who is also a member of that Town or Community

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Council shall not take part in the proceedings of the Sub-Committee in relation to that matter.

Voting

- 8.6.1 All Members including Independent (Lay) Members will be entitled to vote at meetings.
- 8.6.2 A question to be decided by the Standards Committee / Standards Community Sub-Committee shall be decided by a majority of the votes cast by those members present at the meeting and eligible to vote.
- 8.6.3 In the case of an equality of votes, the person presiding at a meeting of the Standards Committee / Standards Community Sub-Committee shall have a second, casting vote.

Chairing the Committee and the Standards Community Sub-Committee.

- 8.7.1 Only an Independent (Lay) Member of the Standards Committee and the Standards Community Sub-Committee may be the Chair or Vice-Chair.
- 8.7.2 If the Chair is absent from a meeting of the Standards Committee / Standards Community Sub-Committee, then the Vice-Chair of the Committee / Standards Community Sub-Committee, if present, shall preside.
- 8.7.3 If both the Chair and the Vice-Chair of the Standards Committee / Standards Community Sub-Committee are absent from a meeting, an independent member as chosen by the Standards Committee / Standards Community Sub-Committee shall preside.
- 8.7.4 Subject to 8.7.1 and 8.7.5 below the Chair and Vice Chair will be elected by the Members of the Standards Committee or the Standards Community Sub-Committee for whichever is the shortest period of:
 - (i) not less than four years or no more than six years; or
 - (ii) until the term of office of the Independent Member comes to an end.
- 8.7.5 A Chair or Vice-Chair can be re-elected following their re-appointment as a Member of the Committee or Sub-Committee as the case may be.

Role and Function

- 8.8 The Standards Committee will have the following roles and functions:
 - 8.8.1 promoting and maintaining high standards of conduct by Members (including church and parent governor representatives);
 - 8.8.2 assisting Members (including church and parent governor representatives) to observe the Members' Code of Conduct;
 - 8.8.3 advising the Council on the adoption or revision of the Members' Code of Conduct;
 - 8.8.4 monitoring the operation of the Members' Code of Conduct;
 - 8.8.5 advising on training or arranging to train Councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
 - 8.8.6 granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set

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- out in the Members' Code of Conduct;
- 8.8.7 dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.
- 8.8.8 overseeing the Council's whistle-blowing regime;
- 8.8.9 providing advice to individual Councillors on such issues as the treatment of personal interest and on conduct matters generally;
- 8.8.10 determining appropriate action on matters referred to it by the Public Services Ombudsman for Wales.
- 8.8.11 overseeing the Register of Interest of Members, Co-opted members and Church and Parent Governor Representatives and Officers.
- 8.8.12 overseeing the Council's rules and protocols on accountability of members.
- 8.8.13 overseeing the attendance of Members and Co-opted Members at relevant meetings;
- 8.8.14 monitor the training of Members serving on Member Bodies.
- 8.8.15 To monitor compliance by leaders of political groups on the council to take reasonable steps to promote and maintain high standards of conduct by members of the group; and
- 8.8.16 To advise on training or arranging to train leaders of political groups on the council about matters relating to this duty.
- 8.8.17 As soon as reasonably practicable after the end of each financial year, the Standards Committee will make an annual report to Full Council setting out the following:
- (a) how the Committee's and Sub-Committee's functions have been discharged
 - (b) what has been done to discharge the general and specific functions set out in Rules 8.8.1 to 8.8.5 above;
 - (c) reports and recommendations made or referred to the Committee or Sub-Committee by the Ombudsman;
 - (d) action taken by the Committee or Sub-Committee following its consideration of such reports and recommendations;
 - (e) notices given to the Committee or Sub-Committee by the Adjudication Panel for Wales.
 - (f) the extent to which leaders of political groups on the council have complied with their duties to promote and maintain high standards of conduct during the financial year.
 - (g) such other matters as the Committee may wish to draw to the attention of Full Council in relation to the Standards Committee's functions.
- 8.9 the Standards Community Sub-Committee will have the roles and functions listed in 8.8.1 to 8.8.7 above in relation to the Town and Community Councils in Powys and members of those Councils.

Rules of Procedure and Debate

- 8.10.1 The Council Procedure Rules at Section 4 will apply to the meetings of the Standards Committee Members.
- 8.10.2 When considering the conduct of individual Councillors, the procedures outlined in Appendix 3 to Section 18 will apply.