

B16. THE STANDARDS COMMITTEE

16.1 Role

- i. The Standards Committee's role is:
 - a) Advising the City Council on the adoption or revision of the Code of Conduct;
 - b) Monitoring the operation of the Code of Conduct and the arrangements for how the Council will deal with any complaints;
 - c) Advising, training or arranging to train members and co-opted members on matters relating to the City Council's Code of Conduct.
 - d) Determining complaints alleging a breach of the Code of Conduct by Councillors.
 - e) Determining the penalty to be imposed in the event of a breach of the Code being upheld.
 - f) Hearing appeals as may be necessary.
 - g) Granting any dispensations and dealing with any other powers granted to Standards Committees by legislation.
 - h) To submit an Annual report on the work of the Standards Committee and, generally, promoting the standards of ethical conduct and behaviour expected of Councillors.
- ii. The Standards Committee shall also determine under Sections 1 and 2 of the Local Government and Housing Act 1989: -
 - a) any application received from any officer of the Council for exemption from political restriction; and
 - b) any application to consider whether a post should be included in the list maintained by the Council under Section 2(2) of the 1989 Act, and may direct the Council to include a post in that list.

16.2 Membership

- i. The Standards Committee will be composed of 14 Members, as follows:
 - 6 Councillors, which will be made up of 2 Councillors from each of the 3 largest political parties represented on the City Council;
 - 6 Independent lay members
 - 1 Member of New Frankley in Birmingham Parish Council
 - 1 Member of Sutton Coldfield Parish Council
- ii. **Independent Lay Members:** Independent Lay Members are not entitled to vote at meetings;

- iii. **Parish Members:** The Parish Member(s) must be present when matters relating to the parish council or their Members are being considered but shall have no voting rights;
- iv. **Chairing the Committee:** Standards Committee will appoint an Independent Lay Member as Chair and Deputy Chair of Standards Committee. In the absence of the appointed Chair/Deputy Chair the Committee will be chaired by another Independent Lay Member or if none available the Committee will be chaired as determined by the Committee.
- v. **Quorum:** The quorum for the Standards Committee shall be five, including at least three Birmingham Councillors, one of the Independent Lay Member and the Parish Councillor if it relates to a Parish Council matter.
- vi. **Independent Person:** There will be at least 1 Independent who will have no voting rights although Standards Committee has the discretion to appoint an additional person if required.
- vii. **Delegation:** The Standards Committee may appoint one or more sub-committees for the purpose of discharging any of the Committee's functions as set out in 1.1 above. A sub-committee shall have a quorum of at least three voting members and one Independent Lay Member.
- viii. **Arrangements for Dealings with Standards Allegations under the Localism Act 2011:** The Monitoring Officer will set out the procedure for the arrangements as to how complaints under the Code of Conduct are dealt with. Any changes to those arrangements may only be made following consultation with the Standards Committee.

16.3 Standards (Hearings) Sub committee

1. Purpose

- i. In consultation with the Monitoring Officer to consider any commissioned reports to determine whether the matter should be referred to a formal hearing
- ii. In the event that a hearing of the Standards Committee is required, to hear and determine any allegation that a member or co-opted member of the council has failed, or may have failed to comply with the Council's code of conduct, and apply appropriate sanctions.

2. Membership

- i. Any subcommittee must consist of at least 3 Councillors, with at least 1 from each of the 3 largest political groups represented on the Council.

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- ii. If appropriate, a political party may appoint a substitute.
- iii. Any subcommittee must also consist of at least one non voting lay member.