

TERMS OF REFERENCE FOR STANDARDS SUB-COMMITTEES
(Note: Approved 10.March 09. Revised 18.May.09)

- **Assessment Sub-Committee** (3 Members – any 3 drawn from full Committee) (Regulation 6 stipulates that an Independent Member must chair a Sub-Committee and Regulation 7 stipulates that at least one Member of the Authority must be present at the meeting)

Terms of Reference

- (a) To receive complaints that a Member of Cheshire East Council or a Town/Parish Council within Cheshire East has failed, or may have failed, to comply with the Authority's Code of Conduct;
- (b) To make an initial assessment of any complaint using the Assessment Criteria and decide one of the following courses of action:
 - (i) refer the complaint to the Monitoring Officer for investigation;
 - (ii) refer the complaint to the Monitoring Officer for other action;
 - (iii) refer the complaint to the Standards Board for investigation;
 - (iv) decide that no action should be taken.

- **Review Sub-Committee** (3 Members – any 3 drawn from full Committee) (Regulation 6 stipulates that an Independent Member must chair a Sub-Committee and Regulation 7 stipulates that at least one Member of the Authority must be present at the meeting)

Terms of Reference

- (a) To review, upon receipt of a request from a complainant, a decision of the Assessment Sub-Committee to take no action in respect of a complaint that a Member of Cheshire East Council or a Town/Parish Council within Cheshire East has failed to comply with the Authority's Code of Conduct and determine one of the following courses of action:
 - (i) Refer the complaint to the Monitoring Officer for formal investigation;
 - (ii) Refer the complaint to the Monitoring Officer for other action;
 - (iii) Refer the complaint to the Standards Board for England;
 - (iv) Decide that no action should be taken.
- (b) To publish a written summary giving the main points considered, conclusions reached and the reasons for the conclusions in relation to any actions set out in paragraph (a).

- **Hearings Sub-Committee** (5 Members – any 5 drawn from full Committee - Quorum - 3) (Regulation 6 stipulates that an Independent Member must chair a Sub-Committee and Regulation 7 stipulates that at least one Member of the Authority must be present at the meeting)

Terms of Reference

- (a) To consider a report of the Monitoring Officer following his/her investigation of the complaint and decide one of the following courses of action:
- (i) to accept the Monitoring Officer's finding that there has been no failure to observe the Code of Conduct;
 - (ii) to refer the matter for consideration at a hearing before this Sub-Committee;
 - (iii) to refer the matter to the Adjudication Panel for determination.
- (b) To hold hearings into complaints that a Member of Cheshire East Council or a Town/Parish Council within Cheshire East has failed, or may have failed, to comply with the Authority's Code of Conduct;

To decide that:

- (i) the Member who was the subject of the hearing has not failed to comply with the Code of Conduct; or
 - (ii) the Member who was the subject of the hearing has failed to comply with the Code of Conduct but no action needs to be taken; or
 - (iii) the Member who was the subject of the hearing has failed to comply with the Code of Conduct and that a sanction should be imposed.
- (c) To impose any appropriate sanctions when a finding under paragraph (b) (iii) above occurs in accordance with Regulation 19 of The Standards Committee (England) Regulations 2008.
- (d) To publish a written summary giving the main points considered, conclusions reached and the reasons for the conclusions in relation to any actions set out in paragraphs (a) and (c) above.