

Audit and Governance Committee

Date of Meeting: 27 May 2021

Report Title: Appointments to Hearing Sub-Committees

Senior Officer: David Brown, Director of Governance and Compliance

1. Report Summary

- 1.1. This report requests the Audit and Governance Committee establish two Hearing Sub-Committees to deal with complaints that a councillor has breached the Code of Conduct for Members, as required by the Council's arrangements under the Localism Act 2011.

2. Recommendations

- 2.1. That in accordance with its adopted terms of reference, the Audit and Governance Committee establish two Hearing Sub-Committees of its membership comprising –
 - a) The standing Chair of the Committee;
 - b) 2 further voting members of the Committee; and
 - c) 1 Independent Person whose views will be sought by the Sub-Committee before reaching a decision.

3. Reasons for Recommendations

- 3.1. The Committee's terms of reference include responsibility for the Council's standards arrangements, and in particular the promotion of high standards of ethical behaviour by Members.
- 3.2. The Committee must make appropriate arrangements for the consideration of complaints regarding Member conduct raised under the adopted Members Code of Conduct and associated procedures. These arrangements include referral to a Hearing Sub-Committee of the Audit and Governance Committee for final determination where appropriate.

4. Background

- 4.1. The Committee is requested to establish two Hearings Sub-Committees to enable Member complaints to be dealt with in a timely manner as the need arises.
- 4.2. Two sub-committees are recommended to ensure sufficient availability, and to help address any potential conflicts of interest that may arise.
- 4.3. In accordance with the Committee's terms of reference, the Chair of the Committee should chair the Sub-Committee(s), unless the subject member in any particular matter is of the same political group in which case the Vice Chair will assume these duties.
- 4.4. The terms of reference waive the requirement for political proportionality for the sub-committee(s) under the Local Government & Housing Act 1989.
- 4.5. It is a requirement for any Members sitting on these sub-committees to have undertaken suitable training. A training session is currently being arranged for 10 June 2021.

5. Implications of the Recommendations

5.1. Legal Implications

- 5.1.1. The Council must have appropriate arrangements in place to deal with complaints arising from the Members Code of Conduct in order to comply with the requirements of the Localism Act 2011 and demonstrate good governance.

5.2. Finance Implications

- 5.2.1. The convening and conduct of sub-committee meetings will incur additional costs including but not limited to Member and officer time.

5.3. Policy Implications

- 5.3.1. The proposed arrangements are consistent with the Committee's terms of reference and the Council's adopted procedures pertaining to complaints under the Members Code of Conduct.

5.4. Human Resources Implications

- 5.4.1. There are no direct Human Resources Implications.

5.5. Risk Management Implications

- 5.5.1. Reputational risks may arise from a failure to adhere to adopted standards procedures for Member complaints.

5.6. Rural Communities Implications

5.6.1. There are no direct implications for rural communities.

5.7. Implications for Children & Young People/Cared for Children

5.7.1. There are no direct implications for children and young people.

5.8. Public Health Implications

5.8.1. There are no direct implications for public health.

5.9. Climate Change Implications

5.9.1. There are no direct implications for Climate Change

6. Ward Members Affected

6.1. Not applicable

7. Contact Information

7.1. Any questions relating to this report should be directed to the following officer:

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