

ARTICLE 9 - THE STANDARDS COMMITTEE

9.1 *Standards Committee*

The Council meeting will establish a Standards Committee as required under statute.

9.2 *Composition*

(a) *Membership*

The Standards Committee must be composed of at least:

- (i) two Milton Keynes Council Members (one of whom may be a Member of the Cabinet but may not be the Council Leader);
- (ii) two Parish Members, a Parish Member being a Member of a parish council for which the Standards Committee is responsible but who is not also a Member of Milton Keynes Council; and
- (iii) 25% membership of Independent Members, an Independent Member being a person
 - (1) whose appointment is—
 - (aa) approved by a majority of the Members of the Authority;
 - (bb) advertised in one or more newspapers circulating in the area of the authority, and in such other publications or websites as the authority considers appropriate;
 - (cc) of a person who submitted an application to the Authority; and
 - (2) who is not
 - (aa) a councillor or an officer of Milton Keynes Council or any other relevant authority;

- (bb) someone who has within the period of five years immediately preceding the date of the appointment been a Member or officer of the Authority; or
- (cc) a relative or close friend of a Member or officer of the Authority.

Independent members will be entitled to vote at meetings.

(b) *Chairing the Committee*

The Standards Committee must be chaired by an Independent Member.

(c) *Quorum*

A meeting of the Standards Committee, or Sub-Committee of the Standards Committee, shall not be quorate unless

- (i) at least three Members of that Committee or Sub-Committee are present for its duration;
- (ii) a Milton Keynes Council Member is present and entitled to vote where matters relating to Milton Keynes Council or its Members are being considered;
- (iii) A Parish Member is present and entitled to vote where matters relating to parish councils or their Members are being considered; and
- (iv) an Independent Member is present.

9.3 *Role and Function*

The Standards Committee will have the following roles and functions in respect of Milton Keynes Council and, where relevant, the parish councils wholly or partially within the area of Milton Keynes:

(a) *Main functions*

- (i) to promote and maintain high standards of conduct for Members
- (ii) to help Members to follow the Code of Conduct

- (b) *Specific functions*
 - (i) to give the Council advice on adopting a local Code
 - (ii) to monitor the effectiveness of the Code
 - (iii) to train Members on the Code, or arrange for such training
 - (iv) to assess and review complaints about Members
 - (v) to conduct determinations hearings
 - (vi) to grant dispensations to Members with prejudicial interests
 - (vii) to grant exemptions for politically restricted posts
 - (viii) to recommend to Milton Keynes Council arrangements for exercising functions jointly with one or more standards committees of other authorities.

- (c) *Additional functions and terms of reference*
 - (i) to undertake such other functions as Milton Keynes Council considers appropriate
 - (ii) to consider the arrangements for corporate governance to ensure the maintenance and promotion of good ethical conduct; and
 - (iii) as the Committee undertakes the above roles and functions, to consider any matters that relate to standards of probity and ethical conduct.

The Committee will have regard to the statutory and non-statutory Guidance produced by Standards for England in conducting its role and functions

9.4 Sub-Committees

(a) Assessment Sub-Committees

The Standards Committee shall appoint Sub-Committees to discharge the Committee's function to receive and assess a written allegation that a Member or Co-opted Member (or former Member or Co-opted Member) of a relevant authority has failed, or may have failed, to comply with the authority's code of conduct.

(b) *Review Sub-Committees*

The Standards Committee shall appoint Sub-Committees to review a decision made by an Assessment Sub-Committee that no action should be taken in respect of an allegation where the person who made the allegation has made a written request for a review

(c) *Consideration and Hearing Sub-Committees*

The Standards Committee may appoint Sub-Committees to

- (i) consider a report submitted by the Monitoring Officer, or an Ethical Standards Officer of Standards for England, on an allegation referred for investigation and which contains a statement as to his or her findings that there has, or there has not been, a failure to comply with the code of conduct of the authority concerned or, as the case may be, of any other authority concerned; and
- (ii) where it is considered the matter should be determined by a Hearing of the Standards Committee, conduct the Hearing.

A Sub-Committee of the Standards Committee must be chaired by an independent member.

9.5 Access to Information

- (a) Meetings of the Standards Committee shall accord with the Access to Information Procedure Rules set out in Part 4(2) of this Constitution, subject to
 - (i) additional notice requirements which exist in respect of parish councils; and
 - (ii) the application of additional provisions concerning exclusion of public and press.
- (b) Access to Information Procedure Rules set out in Part 4 of this Constitution do not apply in respect of meetings of the Assessment and Review Sub-Committees.

9.6 Reference

As may be amended from time to time:

- (a) Part III of The Local Government Act 2000 (as amended by the Local Government and Public Involvement in Health Act 2007);
and
- (b) The Standards Committee (England) Regulations 2008.