

## ARTICLE 9 – GOVERNANCE COMMITTEES

### Appendix 1

#### 9.1 GENERAL PURPOSES COMMITTEE

9.1.1 In accordance with Article 15 the General Purposes Committee has authority to consider proposals for amending the constitution and making recommendations to full Council.

#### 9.2 CORPORATE GOVERNANCE AND AUDIT COMMITTEE

9.2.1 Members of the Executive; and Political Group Leaders and Whips from the administration and the major opposition Group are precluded from being members of the Corporate Governance and Audit Committee.

9.2.2 The Chair of Standards Committee will be a non voting co-opted member of the Committee<sup>1</sup>

#### 9.3 STANDARDS COMMITTEE

9.3.1 The Council meeting will establish a Standards Committee.

9.3.2 The Terms of Reference for the Sub-Committees of the Standards Committee are set out in Part 3, Section 2B of the Constitution.

##### 9.3.3 Membership

The Standards Committee will be composed of:

- Seven Elected members of Leeds City Council (Elected Members)
- Four Independent Members (Independent Members); and
- Three Parish Members (a Parish Member).<sup>2</sup>

##### 9.3.4 Elected Members

9.3.4.1 Shall be Councillors other than the leader, three of whom shall be representatives of the three largest political groups; and of the remaining four, at least one being a representative from a political group not being one of the three largest.

9.3.4.2 A maximum of one Elected Member may also be an Executive Member<sup>3</sup>.

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<sup>1</sup> In accordance with the provisions of S102(3) of the Local Government Act 1972, the Chair of Standards Committee will take no part in any business of the Corporate Governance and Audit Committee relating to the regulation or control of the finance of the authority.

<sup>2</sup> Following appointment to the Standards Committee a Parish member will remain a Member of the Standards Committee until their term of office on the Committee expires, unless at any such time they cease to be Members of their Parish Council (i.e. they resign, are disqualified or are not re-elected or re-appointed to the Parish Council). A temporary cessation in their membership of their Parish Council during election periods is not to be taken as terminating their appointment to the Standards Committee.

<sup>3</sup> Regulation 4(b) Standards Committee (England) Regulations 2008

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9.3.4.3 An Elected Member may also be a Member of a Parish or Town Council in the Leeds City Council Area.

### 9.3.5 Independent Members

9.3.5.1 Shall be people who are not Members or officers of Leeds City Council or any other Relevant Authority<sup>4</sup> (although a person who is an independent member of the standards committee of another relevant authority may be appointed as an independent member of the standards committee), and

9.3.5.2 They shall not have been a Member or officer of Leeds City Council within the 5 years preceding the date of their appointment, and

9.3.5.3 They shall not be a relative or close friend of a Member or officer of Leeds City Council.<sup>5</sup>

9.3.5.4 Appointment of a new Independent Member to the Standards Committee will be made by Full Council upon the recommendation of a panel. The Panel will include the Assistant Chief Executive (Corporate Governance) and the Chair of the Standards Committee.

9.3.5.5 An Independent Member shall not be appointed to serve more than two terms.

9.3.5.6 Independent Members will be entitled to vote at meetings.

9.3.5.7 The Chair of the Committee will be appointed from the Independent Members appointed to it.<sup>6</sup>

### 9.3.6 Parish Members

9.3.6.1 Shall be Members of a Parish or Town Council wholly or mainly in the Leeds City Council's area, and

9.3.6.2 Shall not also be Members of Leeds City Council<sup>7</sup>

9.3.6.3 A Parish Member must be present when matters relating to Parish Councils or their Members are being considered. The Parish Member is entitled to vote.

### 9.3.7 Sub-Committees of the Standards Committee

[Members of the Sub-Committees of the Standards Committee must complete all compulsory training in accordance with the Standards Committee Training Programme.](#)<sup>8</sup>

<sup>4</sup> Section 49(6) Local Government Act 2000

<sup>5</sup> Regulation 5 (2 & 3) Standards Committee (England) Regulations 2008

<sup>6</sup> Section 53(4) Local Government Act 2000

<sup>7</sup> Regulation 4(2) Standards Committee (England) Regulations 2008

<sup>8</sup> The Monitoring Officer will ensure that any gaps in an Elected Member's training are brought to the attention of the Member concerned and where necessary that Member's Leader and Whip. Further, for

### 9.3.7.1 Assessment Sub-Committee

The Standards Committee shall appoint an Assessment Sub-Committee to exercise the function of assessing allegations of misconduct made against Members and determining whether the allegations should be referred to the Monitoring Officer<sup>9</sup> for investigation or other action.<sup>10</sup>

The Sub-Committee membership will be composed of one Independent Member, two Elected Members and one Parish Member<sup>11</sup>.

The Chair of the Assessment Sub-Committee will be appointed from the Independent Members appointed to the Standards Committee.<sup>12</sup>

### 9.3.7.2 Review Sub-Committee

The Standards Committee shall appoint a Review Sub-Committee to exercise the function of reviewing a decision made by the Assessment Sub-Committee that no action should be taken in relation to an allegation.<sup>13</sup>

The Sub-Committee membership will be composed of one Independent Member, two Elected Members and one Parish Member<sup>14</sup>. Members of the Assessment Sub-Committee which made the initial assessment of an allegation will not be eligible for membership of the Review Sub-Committee in relation to the same allegation.

The Chair of the Review Sub-Committee will be appointed from the Independent Members appointed to the Standards Committee.<sup>15</sup>

### 9.3.7.3 Consideration Sub-Committee

The Standards Committee shall appoint a Consideration Sub-Committee to hold consideration meetings<sup>16</sup>.

The Sub-Committee membership will be composed of one Independent Member, two Elected Members and one Parish Member<sup>17</sup>. Members of the Assessment or

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Parish Members and Independent Members of the Standards Committee, the Monitoring Officer will bring any training gaps to the attention of the relevant Executive Member.

<sup>9</sup> Or to the Standards Board for England Section 57A(2)(b) Local Government Act 2000

<sup>10</sup> <sup>10</sup> Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

<sup>11</sup> The Parish Member only need attend if the matters being discussed by the Sub-Committee involve a Town/Parish Council Member.

<sup>12</sup> Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

<sup>13</sup> Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008, and Section 57B Local Government Act 2000

<sup>14</sup> The Parish Member only need attend if the matters being discussed by the Sub-Committee involve a Town/Parish Council Member.

<sup>15</sup> Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

<sup>16</sup> Regulation 17, Standards Committee (England) Regulations 2008 No. 1085/2008

<sup>17</sup> The Parish Member only need attend if the matters being discussed by the Sub-Committee involve a Town/Parish Council Member.

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Review Sub-Committee which made the decision to refer an allegation for investigation will be eligible for membership of the Consideration Sub-Committee in relation to the same allegation.

The Chair of the Consideration Sub-Committee will be appointed from the Independent Members appointed to the Standards Committee.<sup>18</sup>

#### **9.3.7.4 Hearings Sub-Committee**

The Standards Committee shall appoint a Hearings Sub-Committee to hold determination hearings<sup>19</sup>.

The Sub-Committee membership will be composed of two Independent Members, two Elected Members and one Parish Member. Members of the Assessment Sub-Committee or Review Sub-Committee who referred the allegation for investigation, or the Consideration Sub-Committee who referred the allegation to the Hearings Sub-Committee, will be eligible for membership of the Hearings Sub-Committee in relation to the same allegation.

The Chair of the Hearings Sub-Committee will be the Chair of the Standards Committee or his nominee, chosen from the Independent Members appointed to the Standards Committee.<sup>20</sup>

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<sup>18</sup> Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

<sup>19</sup> Regulation 18, Standards Committee (England) Regulations 2008 No. 1085/2008

<sup>20</sup> Regulation 6(2), Standards Committee (England) Regulations 2008 No. 1085/2008