

# Democracy and Standards Committee (Extract from the Council Constitution)

The Council has established a Democracy and Standards Committee. The functions that are to be discharged by the Committee are not Executive functions and cannot be discharged by the Executive.

The purpose of the Committee is to make necessary decisions in relation to decision making governance; to make necessary decisions in relation to Elections and to have responsibility for Community Governance and Boundary Reviews on behalf of the Council. The Standards responsibilities of the Committee are to oversee and develop the Council's Code of Conduct and the overall standards of conduct for Council Members, co-opted Members, and Parish and Town Councillors of North Northamptonshire.

These Rules detail the membership of the Committee and what the roles and responsibilities of the Committee are.

## 1. MEMBERSHIP BREAKDOWN OF THE COMMITTEE

Representing	Number of Representatives	Term of Office	Method of Appointment	Voting Rights
North Northamptonshire Council	13	Appointed annually	Council appointment	Full voting rights
Total	13			

- 1.1. Appointments shall be politically balanced. Members to have completed relevant training.
- 1.2. Independent Persons, appointed by the Council for the purposes of assisting with the Authority's obligations to deal with allegations of breaches of the Code of Conduct, may be invited to meetings of the Committee by the Chair.
- 1.3. Town and Parish Representatives, appointed by the Council for the purposes of assisting with the Authority's obligations to deal with allegations of breaches of the Code of Conduct, may be invited to meetings of the Committee by the Chair.

## 2. SUBSTITUTIONS

- 2.1. Named substitutes. Substitutes to have completed relevant training.

## 3. CHAIR/VICE CHAIR

- 3.1. The Chair and Vice Chair of the Committee will be elected/appointed by Annual Council each year.
- 3.2. As per Part 3.2 Meeting Procedure Rules s.22, where a vacancy occurs in either office during the course of a year, an election will be held at the next ordinary meeting of the Committee, the successful nominee serving for the remainder of the Municipal Year.

## **4. QUORUM**

- 4.1. The quorum shall be a quarter of voting members, but no less than 4 members.

## **5. TERMS OF REFERENCE**

### **5.1. Democratic functions of the Committee**

- a) To have overall responsibility for reviewing the Council's Constitution and Decision-Making Governance and recommending any proposed changes to the Council.
- b) To have delegated responsibility for the conduct of polling station reviews and other election functions which it is necessary for the Council to decide (but not the functions delegated directly by statute to the Returning Officer or Electoral Registration Officer).
- c) To have delegated responsibility for preparing submissions on behalf of the Council to the Local Government Boundary Commission for England in relation to the governance of the area.
- d) To have delegated responsibility for preparing submissions on behalf of the Council to the Parliamentary Boundary Commission for England.
- e) To oversee the arrangements for the review of the Scheme of Members Allowances, as required by Full Council.
- f) To oversee arrangements for the recruitment to vacancies on the Independent Remuneration Panel (IRP), and submission of nominations for appointment to said vacancies to Full Council for approval.

### **5.2. Standards functions of the Committee**

- a) To promote and maintain high standards of conduct by Members and co-opted Members of the Council, Parish and Town Councils.
- b) To keep the Member Code of Conduct and where appropriate any Planning Protocols under review and make recommendations to Council on any amendment or revisions to the Codes/Protocols when appropriate.
- c) To advise, train or arrange training for Members and co-opted Members of the Council, Parish and Town Councils on matters relating to the Member Code of Conduct and the Planning Code of Practice.
- d) To give general guidance and advice to Members and Co-opted Members of the Council, Parish and Town Councils on Members' interests and keep under review the Register of Members' Interests and Register of Gifts and Hospitality, as maintained by the Monitoring Officer.
- e) To grant dispensations to Members and co-opted Members from requirements relating to interests.
- f) To keep the Council's Arrangements for Dealing with Standards Complaints under review and make recommendations to Council on any amendment or revisions to the Arrangements when appropriate.
- g) In accordance with the Council's Arrangements for Dealing with Standards Complaints, to assess and / or refer for investigation allegations of misconduct on the part of Members and co-opted

Members of the Council, Parish and Town Councils, if so requested by the Monitoring Officer.

- h) To determine allegations of misconduct on the part of Members and co-opted Members of the Council, Parish and Town Councils.
- i) To be a consultee in relation to the Council's Officer Code of Conduct.
- j) To make recommendations to Council with regard to the appointment of Independent Persons.
- k) To oversee the Council's Protocol on Member / Officer Relations.
- l) To receive an annual report from the Monitoring Officer detailing complaints received, complaints dealt with, and resolutions achieved.
- m) To exercise all the Council's functions, as specified in Regulation 2 of the Local Authority (Functions and Responsibility) (England) Regulations 2000 insofar as such functions are not the responsibility of the Council or any other Committee of the Council.

### **5.3. Sub Committees**

- 5.3.1. The Democracy and Standards Committee has the power to appoint such sub-committees as may from time to time be necessary to discharge its duties.
- 5.3.2. Sub Committees shall have a quorum of three.
- 5.3.3. In relation to Sub Committees established for the purpose of discharging functions relating to consideration of standards complaints, when there is a complaint lodged against a Parish Councillor or Town Councillor, one member of the Sub Committee must be a Town or Parish representative (from a different Parish or Town Council).
- 5.3.4. For unitary complaints, all members of the Sub Committees shall be unitary Councillors.
- 5.3.5. Serving North Northamptonshire Council councillors may not act as the Parish or Town Council representative on a Sub Committee.

### **5.4. Assessment Sub Committee**

- 5.4.1. To determine, in accordance with the Council's Arrangements for Dealing with Standards Complaints, whether standards complaints should be referred for investigation.
- 5.4.2. The Assessment Sub Committee shall have a maximum of 5 members. Where the matter relates to a town or parish councillor, the membership will include one town or parish representative previously appointed for that purpose.

### **5.5. Hearing Sub Committee**

- 5.5.1. To determine, in accordance with the Council's Arrangements for Dealing with Standards Complaints, complaints referred to the sub-committee following completion of an investigation into allegations of misconduct on the part of Members and co-opted Members of the Council, Parish and Town Council.

5.5.2 The Hearing Sub Committee shall have a maximum of 5 members. Where the matter relates to a town or parish councillor, the membership will include one town or parish representative previously appointed for that purpose.

## 5.6 **Working Groups**

The Committee may establish working groups to assist in informing the decisions of the Committee. A working group may be established by a resolution of the Committee.

## 6.0 **Public Participation at a meeting of the Committee**

6.1 Members of the public or other non-Committee councillors may address the Committee on items detailed on the formal public agenda for that meeting.

6.2 These Public Participation rules do not apply to meetings of the Assessment Sub Committee or the Hearing Sub Committee.

6.3 A request to address the Committee must be submitted in writing/email at least by 5:00 pm prior to two clear working days before the meeting date. If the deadline for requests to speak falls at 5:00 pm on a Friday the deadline will be extended to 9:00 am the following Monday.

6.4 An individual speaker will be limited to a maximum of 3 minutes to address the Committee on an item.

6.5 A period of 15 minutes will be allocated for Public Participation (subject to Chair's discretion to extend this period subject to the demands to address the Committee).

6.6 If there is overdemand, the Chair will consider the following in determining whether to use their discretion –

- (i) Was the request to speak submitted within the deadline (as detailed in 6.3 above);
- (ii) Has the person requesting to speak already been allocated a slot to address the Committee albeit on a separate item;
- (iii) Has the 15 minutes been allocated on other agenda items, but the request received is for an item which currently has no allocated public speakers;
- (iv) Is the request to speak from a non-Committee councillor, who has the opportunity to have their views/opinions expressed by a colleague sitting on the Committee or they may have the opportunity to talk on the item at another meeting. The assumption would be public speakers take precedence over councillors for the purposes of Public Participation.

6.7 If the Committee invite external representatives or other individuals to attend its meeting, to provide information or act as "expert witnesses" on specific agenda items, their participation in discussions would be through the Chair.