

Annex B

(i) Standards Committee

Membership: 9 councillors **(and up to three co-opted Parish representatives)**

Quorum: 4

Terms of Reference:

1. To promote and maintain high standards of conduct by Members and co-opted Members of Milton Keynes Council.
2. To assist parish councils within Milton Keynes to promote and maintain high standards of conduct by their Members and co-opted Members.
3. To grant dispensations in respect of requests made under s33 Localism Act 2011.
4. To establish and maintain arrangements under which allegations against all such Members can be investigated and decided upon in accordance with the requirements of Chapter 7 (Standards) of the Localism Act 2011 ~~within the following framework:~~ **(as last agreed by the Standards Committee on 26 January 2023).**
- 5. To establish a sub-committee for Hearings and Appeals as required by the Council's adopted standards arrangements.**
- 6. To make recommendations to Council in respect of appointing Independent Persons and from time to time, to agree any local protocols or procedures relating to the work or training of Independent Persons.**
- 7. To make recommendations to Council about appointing co-opted Parish representatives.**

~~a) That the Monitoring Officer be delegated the authority to determine, after consultation with the Independent Person, whether or not a complaint merits a formal investigation, in line with any policy set by the Standards Committee.~~

~~Explanatory Note (Procedure Agreed by the Standards Committee): The Monitoring Officer will consult with the Independent Person on the matter and may:~~

- ~~i) reject the complaint, with reasons;~~
- ~~ii) explore informal resolution of the matter;~~
- ~~iii) investigate the matter (or appoint an investigator to investigate the matter); or~~
- ~~iv) refer the matter to a Standards Sub-Committee where the complaint is:~~
 - ~~• very serious;~~
 - ~~• a conflict of interest has arisen;~~
 - ~~• the matter is particularly complex;~~
 - ~~• the matter is potentially going to attract a high level of public interest;~~

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- the matter is politically sensitive; or
- Any other substantial reason.

b) The Monitoring Officer, on receipt of the investigating officer's report,

in consultation with the Chair and Vice-Chairs, be delegated authority to decide that no further action is warranted, to refer a case for a hearing, or to decide on other action.

c) That a Standards Sub-Committee be established and be delegated power, after consultation with the Independent Person and, if a Parish matter, in consultation with a co-opted Parish Member, to determine whether or not a complaint merits referral to the monitoring officer to undertake a formal investigation or other action.

d) That Standards Sub-Committee be established and, after consultation with the Independent Person and, if a Parish matter, in consultation with a co-opted Parish Member:

i) be delegated power to undertake a hearing to determine whether or not a Member has failed to comply with the Code of Conduct; and

ii) be delegated such of the Council's powers as can be delegated to take decisions in respect of a Member who is found on hearing to have failed to comply with the Code of Conduct.

e) That a Standards Sub-Committee be established and be delegated power, after consultation with the Independent Person and, if a Parish matter, in consultation with a co-opted Parish Member, to adjudicate on appeals against the findings of Hearing Sub-Committee on the grounds that:

i) the procedure has been wrongly applied;

ii) new evidence has come to light since the hearing which, if disclosed to the panel, may result in a different outcome; or

iii) the Committee has misdirected itself in law.

f) That the Monitoring Officer be appointed as the Proper Officer to receive and administer complaints of failure to comply with the Code of Conduct.