

GOVERNANCE, AUDIT AND RISK MANAGEMENT STANDARDS SUB-COMMITTEES

ASSESSMENT AND HEARING REVIEW SUB-COMMITTEES (3) – (Pool of Members) (Non-Proportional)

(To be selected from the following nominees)

	Independent Persons	Labour	Conservative
	(1) Chairman	(1)	(1)
I. Members	Mr James Coyle Dr John Kirkland Mr Derek John Lawrence (Vacancy)	Margaret Davine Mitzi Green Graham Henson Jerry Miles Phillip O'Dell	Richard Almond Manji Kara Paul Osborn Norman Stevenson Bharat Thakker

Membership Rules

(1) The membership of the Assessment and Review Sub-Committees will be three persons (comprising one Independent Persons and one Elected Member from each of the main political parties);

(2) the quorum for the Sub-Committees is 3;

(3) the Sub-Committees shall be chaired by the Independent Person;

(4) Members attending a Panel be required to vote on a local determination and not be permitted to abstain.

Terms of Reference

The Assessment Sub-Committee has the following powers and duties:

- (a) To receive a referral from the Monitoring Officer in respect of allegations that a member or co-opted member of the Authority has failed, or may have failed, to comply with the Authority's Code of Conduct in circumstances where the Monitoring Officer has not exercised his/her delegation to decide:
 - i. To filter out a complaint as being vexatious and/or outside the Code of Conduct; or
 - ii. To investigate a complaint
- (b) Upon receipt of a referral from the Monitoring Officer, the Sub-Committee shall make an assessment of the allegation and shall decide whether the complaint should be filtered out/an investigation should take place in respect of each allegation in accordance with the terms of the referral.

- (c) To decide whether a complaint shall proceed to the Hearing Sub-Committee in circumstances where the complaint has been investigated and the investigating officer has concluded that the member complained about has not breached the Code of Conduct.
- (d) The Sub-Committee shall state its reasons for that decision.

The Hearing Review Sub-Committee has the following powers and duties

- (a) To consider allegations referred to it following investigation that a member or coopted member has failed to comply with the Council's Code of Conduct for Councillors
- (b) To determine whether or not there has been a breach of the Code of Conduct taking into account the findings and conclusions of the investigation report.
- (c) If the Sub-Committee decides that there has been a breach of the Code of Conduct, to decide that no sanction should be imposed or to impose one of the following sanctions:
 - i. Report its findings to Council for information and place them on the Council's website;
 - ii. Inform the Group Leader (or in the case of an independent member, Council) of its recommendation that a member be removed from any or all Committees or Sub-Committees, or outside body appointments;
 - iii. Inform the Group Leader of any recommendations that the member be removed from the Cabinet, or removed from particular portfolio responsibilities;
 - iv. Remove the member from outside body appointments;
 - v. Instruct the MO to arrange training for the member;
 - vi. Where the breach involves inappropriate use of facilities, withdraw such facilities provided to the member by the Council, such as a computer, website and/or email and internet access; or
 - vii. Exclude the member from the Council's offices or other premises, with the exception of meeting rooms necessary for attending Council, Committee and Sub-Committee meetings; or
 - viii. Censure the member for the breach, in which case the MO will be asked to write to the Member and a press report will be issued.