

Meeting:	REVIEW SUB-COMMITTEE
Date:	15 July 2009
Subject:	Review Sub-Committee – Terms of Reference
Responsible Officer:	Hugh Peart, Director of Legal and Governance Services
Portfolio Holder:	Councillor David Ashton, Leader of the Council
Exempt:	No
Enclosures:	Appendix A – Terms of Reference Appendix B – Review Criteria Appendix C – Members Code of Conduct

Section 1 – Summary and Recommendations

This report details the role and responsibilities of this Sub-Committee in reviewing complaints where an appeal has been lodged. The content of the complaint will be dealt with as a separate item, and all information will be circulated on the day of the meeting.

Recommendation: The Committee is requested to consider and note its Terms of Reference and the identified criteria for reviewing complaints as set out in Appendices A & B, together with the Members Code of Conduct at Appendix C before considering any complaint before it.

Section 2 – Report

1. Background

- 1.1 The Local Government and Public Involvement in Health Act 2007 came into force in October 2007. At its meeting on 5th June 2008 the Standards Committee agreed its revised Terms of Reference. It also established this Sub-Committee for the purposes of reviewing complaints where a decision of no further action has been previously reached by an Assessment Sub-Committee in respect of a possible breach of the Authority's Code of Conduct (attached at Appendix C).

Procedure on Receipt of Request for Review of a Decision of the Assessment Sub-Committee

- 2.1 This Review Sub-Committee is established to review, upon the request of a person who has made an allegation that a member of the Authority has failed, or may have failed to comply with the Authority's Code of Conduct a decision of the Assessment Sub-Committee that no action be taken in respect of that allegation.

Requests are received by the Monitoring Officer and referred to this Sub-Committee for consideration.

- 2.2 Guidance from the Standards Board for England suggests that when considering a review, the Review Sub-Committee should apply the same criteria used by the Assessment Sub-Committee.
- 2.3 Harrow has adopted the good practice guidance in terms of how the Assessment Sub-Committee will operate. This guidance will therefore apply to how the Review Sub-Committee will operate.
- (a) The Monitoring Officer should prepare a short summary of the review for consideration by the Review Sub-Committee.
- (b) The Review Sub-Committee will consider the review against the agreed Assessment Sub-Committee criteria including the criteria for referral to the Standards Board for England (set out in Appendix B, attached).

3. Legal Implications

- 3.1 The Local Government and Public Involvement in Health Act 2007 places new obligations on the Standards Committee to deal with written allegations that a member or co-opted member may have failed to comply with the Code of Conduct. These powers are in addition to the powers under Part III of the Local Government Act 2000.

4. Financial Implications

4.1 Any costs relating to this matter will be met from the provision for legal fees.

Section 3 - Statutory Officer Clearance

Name: Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of Chief Financial Officer
Date: 22 October 2008		
Name: Jessica Farmer	<input checked="" type="checkbox"/>	on behalf of Monitoring Officer
Date: 22 October 2008		

Section 4 - Contact Details and Background Papers

Contact: Pauline Ferris, Senior Professional Democratic Services Tel: 020 8424 1269 (x2269)

Background Papers:

Local Government Act 2000

Local Government and Public Involvement in Health Act 2007

The Standards Committee (England) Regulations 2008

Standards Board for England – Local Assessment of Complaints