

## **Ethics and Engagement Committee Terms of Reference**

### **1. Ethics and Engagement Committee**

The Council will appoint an Ethics and Engagement Committee.

### **2. Composition**

- The Ethics and Engagement Committee will comprise eight councillors appointed annually from among their number.
- The Leader of the Council shall be excluded from taking part in matters directly relating to complaints made against members of the Council, but shall be allowed to be appointed and to act as a member of the Committee in all other matters.
- The Ethics and Engagement Committee will be appointed in accordance with political proportionality rules.
- The Ethics and Engagement Committee and/or Monitoring Officer must consult the Independent Person on matters relating to the Members' Code of Conduct and dispensations.
- The Ethics and Engagement Committee can invite the Independent Person to attend Ethics and Engagement Committee meetings and meetings of the Assessment and Hearing Sub-Committees. The Committee may also invite the Independent Person to speak at the Committee's meetings but he or she will not be entitled to vote on any matters.
- The Committee shall meet at least quarterly unless otherwise agreed.
- The quorum for the Committee shall be three councillors.

### **3. Role and Function**

The Ethics and Engagement Committee will have the following roles and functions:

- (a) promoting and maintaining high standards of conduct by elected and co-opted members.
- (b) assisting Councillors in observing the Members' Code of Conduct.
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct.
- (d) Monitoring the operation of the Members' Code of Conduct.
- (e) Advising, training or arranging to train Councillors on matters relating to the Members' Code of Conduct.
- (f) Assess and hear any cases of an alleged breach of the Members' Code of Conduct.
- (g) Granting dispensations to members on the following grounds:
  - (1) that so many members of the decision making body have Disclosable Pecuniary Interests in a matter that it would "impede the transaction of the business". In practice this means that the decision making body would be inquorate as a result.

- (2) That without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter.
  - (3) That the authority considers that the dispensation is in the interests of persons living in the authority's area
  - (4) That, without a dispensation, no member of the Executive would be able to participate on the matter, or
  - (5) That the authority considers that it is otherwise appropriate to grant a dispensation.
- (h) To decide upon and authorise allowances for Independent Person(s).
  - (i) To consider matters relating to the governance of the Council and ethical conduct by councillors, and propose relevant guidance if appropriate.
  - (j) To monitor councillor development and offer guidance intended to improve its efficacy, value, or delivery.
  - (k) To develop innovative and effective proposals to improve democratic engagement.

#### **4. Code of Conduct Hearings**

The following panels will be appointed as and when required:

**Assessment Sub-Committee** which will:

- (a) assess any alleged breach of the member code of conduct which has been referred to them by the Monitoring Officer, in consultation with the Independent Person.

**Hearing Sub-Committee** which will:

- (a) hear any cases against an alleged breach of the member code of conduct.
- (b) be authorised to impose one or more of the following sanctions, if thought appropriate:
  1. reporting its findings to Council.
  2. recommending to the member's Group Leader (or in the case if un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council.

3. recommending to the Leader of the Council that the member be removed from Executive or removed from particular portfolio responsibilities.
4. instructing the Monitoring Officer to arrange training for the member.
5. removing the member from all outside bodies to which they have been appointed.
6. withdrawing facilities provided to the member by the Council, such as computer, website and/or email or internet access.
7. excluding the member from Council offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committees or Sub-Committees.

**The Assessment Sub-Committee and Hearing Sub-Committee will each comprise three members appointed proportionally.**