

Appendix 1

Terms of Reference of the Referrals Sub-Committee

As approved by the Standards Committee

1. Terms of Reference

- a. The Referrals Sub-Committee is established to receive allegations that a member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct.
- b. Upon receipt of each allegation and any accompanying report by the Monitoring Officer, the Sub-Committee shall make an initial assessment of the allegation and shall then do one of the following:
 - i. refer the allegation to the Monitoring Officer, with an instruction that they arrange a formal investigation of the allegation, or directing that they arrange training, conciliation or such appropriate alternative steps as permitted by Regulations;
 - ii. refer the allegation to the Standards Board for England;
 - iii. decide that no action should be taken in respect of the allegation; or
 - iv. where the allegation is in respect of a person who is no longer a member of the Council, but is a member of another relevant authority (as defined in Section 49 of the Local Government Act 2000), refer the allegation to the Monitoring Officer of that other relevant authority;

and shall instruct the Monitoring Officer to take reasonable steps to notify the person making the allegation and the member concerned of that decision.

- c. Upon completion of an investigation by the Monitoring Officer, the Sub-Committee shall be responsible for determining whether:
 - i. it accepts the Monitoring Officer's finding of no failure to observe the Code of Conduct;
 - ii. the matter should be referred for consideration at a hearing before the Hearings Sub-Committee of the Standards Committee; or
 - iii. the matter should be referred to the Adjudication Panel for determination.
- d. Where the Sub-Committee resolves to do any of the actions set out in Paragraph 1(b) or 1(c) above, the Sub-Committee shall state its reasons for that decision.

2. Composition of the Referrals Sub-Committee

The Referrals Sub-Committee shall comprise 3 members, of whom 1 shall be an independent member of the Standards Committee who shall chair the Sub-Committee, and 2 members of the Standards Committee.

3. Quorum

The quorum for a meeting of the Sub-Committee shall be 3 members.

4. Frequency of Meetings

Monthly meetings of the Sub-Committee shall be arranged to consider a complaint within 20 working days of its receipt. If there is no business for a meeting, it shall be cancelled.