

TERMS OF REFERENCE OF THE REFERRALS (ASSESSMENT) SUB-COMMITTEE

Terms of Reference

1. The Referrals (Assessment) Sub-Committee will receive allegations that a Member of Huntingdonshire District Council or the Parish Councils within the District may have failed, to comply with their Authority's Code of Conduct.
2. Upon receipt of each allegation and any accompanying report by the Monitoring Officer¹, 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 he/she undertake a formal investigation of the allegation, or directs that he/she arrange training, conciliation or such appropriate alternative steps as permitted by the 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 Authority, 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 Authorityand shall instruct the Monitoring Officer to take reasonable steps to notify the person making the allegation and the Member concerned of that decision.
3. Where the Sub-Committee resolves to recommend any of the actions set out in paragraph 2 above, the Sub-Committee shall state its reasons for that decision.
4. The Sub-Committee shall consider any application received from any Officer of the District Council for exemption from political restriction under Sections 1 and 2 of the Local Government and Housing Act 1989 in respect of the post held by that Officer and may direct the District Council that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the District Council under Section 2 (2) of that Act.

¹ Where the post of Monitoring Officer is referred to, the text should read, with effect from 27th June 2008, Interim Monitoring Officer until such time as a new Director of Central Services is appointed.

5. The Sub-Committee shall, upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Authority under Section 2 (2) of the 1989 Act, and may direct the Authority to include a post in that list. The Sub-Committee shall report their decision, for information, to the next available meeting of the Standards Committee.

Composition of the Referrals (Assessment) Sub-Committee

6. The Referrals (Assessment) Sub-Committee shall comprise three Members of whom one shall be an Independent Member of the Standards Committee who shall chair the Sub-Committee, one Member of the District Council and one Town or Parish Council representative.

Quorum

7. In the event of the unavailability of the Independent Chairman of the Sub-Committee, the Director of Central Services and Monitoring Officer (or in his absence, the Head of Legal and Estates) be authorised, after consultation with the Chairman of the Standards Committee, to select a substitute Independent Member to chair the Sub-Committee as necessary.

Frequency of Meetings

8. The Sub-Committee shall endeavour to complete its initial assessment of an allegation within an average of 20 working days.