

Schedule 7 - Governance Committee – Terms of Reference, Functions, Powers and Duties (including the Hearings Sub Committee)

The Committee has the responsibility and delegated powers to oversee the Council's Constitution and to act on behalf of the Council in dealing with the oversight of its governance, to ensure that good ethics and standards are upheld and to oversee the Council's member development strategy.

TERMS OF REFERENCE

THE COUNCIL CONSTITUTION

1. To receive reports from the Monitoring Officer about the operation of the Constitution.
2. Note: The Monitoring Officer (or the Head of Paid Service in the absence of a Monitoring Officer) has delegated power to monitor and review the operation of the Constitution, to make minor administrative amendments or make changes to reflect changes in law and report regularly to this committee on whether or not it is achieving its purpose or could be amended better to achieve its purpose.
3. To consider proposed changes to any part of the Constitution and, if appropriate, make recommendations to Council to change the Constitution.
4. To consider its terms of reference in so far as they relate to the Council Constitution annually at the first meeting after the Annual Council Meeting
5. The Council via the Governance Committee has delegated the following powers and functions to the Monitoring Officer in consultation with the Chairperson of the Committee
 - 5.1. to amend the Constitution to correct minor administrative errors
 - 5.2. to amend the Constitution to update job titles
 - 5.3. to amend the Constitution where legislative changes result in any section of the Constitution being in conflict with any relevant legislation,

provided that the Chair may decide for any proposed amendments as detailed in paragraphs 5.1 to 5.3 above that they be considered by the Governance Committee.

STANDARDS AND THE CODE OF CONDUCT

6. To promote and maintain high standards of conduct by members and co-opted members of the Council.

7. To support Town and Parish Councils within the Borough to promote and maintain high standards of conduct by members and co-opted members of the Council.
8. To recommend to Council the adoption of a code dealing with the conduct that is expected of members and co-opted members of the Authority.
9. To keep the Code of Conduct under review and recommend changes/ replacement to Council as appropriate.
10. To publicise the adoption, revision or replacement of the Council's Code of Conduct.
11. To oversee the process for the recruitment of an Independent Person (and up to 2 reserves) and make recommendations to Council for their appointment.
12. To receive reports from the Monitoring Officer about:-
 - 12.1. complaints;
 - 12.2. the progress and outcome of investigations;
 - 12.3. the establishment and maintenance of the register of interests of members and co-opted members of the Borough and Town and Parish Councils within the Borough boundaries;
 - 12.4. dispensations granted to members and co-opted members of the Council.

HEARINGS SUB COMMITTEE

13. To consider investigation reports in respect of Code of Conduct complaints that are referred to it by the Monitoring Officer and to report its findings to the Borough Council, Town or Parish Council, as appropriate for information.
14. Where a breach is found, to make decisions about sanctions as set out in the Council's arrangements for dealing with breaches of the Code of Conduct.
15. To consider applications for dispensations where:-
 - 15.1. the dispensation is in the interests of persons living in the Borough of Telford & Wrekin area; or
 - 15.2. it is otherwise appropriate to grant a dispensation.
16. The Governance Committee has delegated the following powers and functions to the Monitoring Officer
17. The power to receive and make an initial assessment of formal Code of Conduct complaints and decide whether further action or investigation is required.

18. The power to make arrangements for local settlement of complaints where the Monitoring Officer considers it appropriate including arranging mediation if required.
19. The power to consider and grant dispensations to Members where:
 - 19.1. the number of Members precluded from transacting the business is so great that it would impede the business of the Council, committee or Executive
 - 19.2. the political balance is affected to the extent that it could affect the outcome of a vote relating to the business

MEMBER DEVELOPMENT

20. To establish a comprehensive and robust Member Learning and Development process
21. To champion and encourage Member development and engage all Elected Members in the process
22. To champion and encourage the use of digital equipment amongst all Elected Members
23. To develop and implement a Member Development Strategy
24. To assist in the shaping and prioritising of member development activities including a comprehensive and robust induction
25. To ensure Member development and learning opportunities relate directly to Telford & Wrekin's Priorities
26. To assist in generating creative and innovative ideas for the advancement of the Member Development programme
27. To establish a mechanism to evaluate overall effectiveness of Member development
28. To identify financial resources required to deliver development needs
29. To encourage an effective member/officer working relationship

PROCEDURE

The Committee will be conducted in accordance with the [Council's Committee Procedure Rules](#). NOTE - Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions.