

## **DISPENSATION CONSIDERATIONS -**

### **Guidance for the Standards Committee Panel when considering Councillors' applications for dispensation:**

1. Reading:
  - Consider the Report prepared by / on behalf of the Monitoring Officer.
  - Consider the enclosures to the Report, particularly the Application Form completed by the Councillor, in order to gather all facts.
2. Multiple Applications:
  - Deal with each application individually and on its own facts.
  - Consider following a procedure at the Hearing:
    - o Gather background / general information (if needed);
    - o Listen to Councillor A's application / ask questions if in attendance / ask the Clerk;
    - o Retire to consider Councillor A's application;
    - o Resume – may announce the decision in relation to Councillor A's application, or may defer announcing the decision until all applications have been considered;
    - o Repeat, depending on the number of applications to be considered.
3. Personal / Prejudicial Interest:
  - For each application, determine –
    - o Is there a PERSONAL INTEREST?
      - Consider the Code of Conduct (included as an enclosure to the Report) – what is the personal interest?
    - o Is the personal interest PREJUDICIAL?
      - Again, consider the Code of Conduct (included as an enclosure to the Report) – is the personal interest also prejudicial?
  - If there is no personal interest, or the personal interest is not prejudicial, there is no need to consider an application for dispensation as the Councillor is able to fully participate in the business.
4. Ground for Dispensation:
  - Where there is a personal interest which is prejudicial, consider the GROUND on which the dispensation may be granted. The grounds are listed on the back of the Application Form.
    - o Has the Applicant correctly identified these on the Application Form?
    - o Has the Applicant included all required Dispensations on the Form i.e. for voting / speaking / writing etc.?
5. Restrictions / Limitations on the Dispensation:
  - When deciding whether or not to grant the Dispensation, consider (if the Dispensation is to be granted) if any restrictions or limitations are required. Matters such as if the Councillor can speak but not vote or whether the dispensation is for one meeting only or the duration of the Council term.
6. Decision Form
  - In granting the dispensation, the Panel will need to complete the Decision Form which details (a) the decision of the Standards Committee; (b) the date when the decision is made; (c) who should be informed of the decision; (d) the date when the dispensation expires; (e) under which ground(s) the dispensation is being granted; and (f) what the dispensation allows the Councillor to do (i.e. speak, vote etc.).