

STANDARDS SUB-COMMITTEE HEARING PROCEDURE

<u>Item No.</u>	<u>Procedure</u>
1	<u>Quorum</u> 1.1. Three Members must be present throughout the hearing to form a quorum. 1.2. Where the complaint refers to a Parish Member a non- voting Parish member of the Standards Committee may also be present. 1.3. The Sub-Committee must nominate a Chairman for the meeting.
2	<u>Opening</u> 2.1 The Chairman must explain the procedure for the hearing and remind all parties to turn off mobile phones, audible alarms and pagers etc. 2.2 The Chairman must ask all present to introduce themselves. 2.3 The Member must be asked whether he/she wishes briefly to outline his/her position.
3	<u>The Complaint</u> 3.1 The Investigating Officer must present his/her report including any documentary evidence or other material (and may call witnesses). This report and documentary evidence must be based on the complaint made to the Council. No new points will be allowed. 3.2 The Member against whom the complaint has been made (or his/her representative) may question the Investigating Officer on the content of the report and question any witnesses called by the Investigating Officer. (This is the Member's opportunity to ask questions arising from the Investigator's report and not to make a statement). 3.3 Members of the Sub-Committee may question the Investigating Officer about the content of the report and/or any witnesses called by the Investigating Officer.

4	<p style="text-align: center;"><u>The Member's case</u></p> <p>4.1 The Member against whom the complaint has been made (or their representative) may present his/her case (and call any witnesses).</p> <p>4.2 The Investigating Officer may question the Member and/or any witnesses.</p> <p>4.3 Members of the Sub-Committee may question the Member and/or any of the Member's witnesses.</p>
5	<p style="text-align: center;"><u>Consultation with the Independent Person</u></p> <p>5.1 Members of the Sub-Committee must consult the Independent Person whose views are to be sought, and taken into account, by the Sub-Committee before it makes its decision on an allegation.</p>
6	<p style="text-align: center;"><u>Summing Up</u></p> <p>6.1 The Investigating Officer may sum up the Complaint.</p> <p>6.2 The Member (or his/her representative) may sum up his/her case.</p>
7	<p style="text-align: center;"><u>Decision</u></p> <p>7.1 Members of the Sub-Committee will deliberate in private to consider the evidence presented at the hearing.</p> <p>7.2 Upon the Sub-Committee's return the Chairman will announce the Sub-Committee's decision in the following terms:-</p> <p>7.2.1 The Sub-Committee decides that the Member has failed to follow the Code of Conduct or</p> <p>7.2.2 The Sub-Committee decides that the Member has not failed to follow the Code of Conduct.</p> <p>7.2.3 The Sub-Committee will give reasons for its decision.</p> <p>7.3 If the Sub-Committee decides that the Member has failed to follow the Code of Conduct, it will consider any representations from the Investigator and/or the Member and/or the Independent Person as to:</p>

	<p>7.3.1 Whether any action should be taken and</p> <p>7.3.2 What form any action should take.</p> <p>7.4 The Sub-Committee must then deliberate in private to consider what action, if any, should be taken.</p> <p>7.5 On the Sub-Committee's return the Chairman must announce the Sub-Committee's decision (in relation to a Parish Member, a recommendation to the Parish Council).</p> <p>7.6 The Sub-Committee must consider whether it should make any recommendations to the Council, or in relation to a Parish Member to the Parish Council, with a view to promoting high standards of conduct among its Members.</p> <p>7.7 The Chairman will confirm that a full written decision shall be issued within 7 working days following the hearing and that the Sub-Committee's minutes will be published.</p>
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