

ESSENTIAL REFERENCE PAPER 'B6'

Consideration and Hearings Sub-Committee Terms of Reference

The Consideration and Hearings Sub-Committee shall deal with the following matters which are delegated to it.

To consider a monitoring officer's investigation report or an Ethical Standard officer's investigation report and to make one of the following findings:

- That it accepts the findings that the relevant Member has not failed to comply with the code of conduct, or
- to accept the findings that the relevant Member has failed to comply with the code of conduct and then decide whether to (a) refer the matter to a hearing of the Council's Standards Committee or (b) refer the matter to the Adjudication Panel for England.

The Sub-Committee shall comprise of three Members including one Independent Member. The Independent Member shall chair the meeting. When considering a matter involving a Parish Councillor, one member of the Sub-Committee shall be a Parish Council representative.

To conduct hearings under Regulation 18 of the Standards Committee (England) Regulations 2008, or any amending or superseding legislation taking into account any relevant guidance issued by the Standards Board for England; to make one of the following findings:

- a) That the Member has not failed to comply with the Member code of conduct;
- b) That the Member has failed to comply with the Member code of conduct but that no action needs to be taken;
- c) That the Member has failed to comply with the Member code of conduct and to impose an appropriate sanction; and to impose any one of or any combination of sanctions that are available to a Standards Committee by law in the event of the Sub-Committee making a finding in accordance with this paragraph.

The Head of Democratic and Legal Services shall be authorised to select an appropriate Panel of Members to sit as the Consideration Sub-Committee. The quorum for the Sub-Committee shall be all three Members.