

**ESSENTIAL REFERENCE PAPER 'F'**

**STANDARDS SUB-COMMITTEE HEARING PROCEDURE**

<b><u>Item No.</u></b>	<b><u>Procedure</u></b>
1	<p data-bbox="395 418 528 450"><b><u>Quorum</u></b></p> <p data-bbox="395 488 1337 562">1.1 Three Members must be present throughout the hearing to form a quorum.</p> <p data-bbox="395 600 1337 707">1.2 Where the complaint refers to a Parish Councillor a non voting Parish member of the Standards Committee may be present</p> <p data-bbox="395 745 1337 777">1.3 The Sub-Committee shall elect a Chairman for the meeting</p>
2	<p data-bbox="395 788 528 819"><b><u>Opening</u></b></p> <p data-bbox="395 857 1313 931">2.1 The Chairman explains the procedure for the hearing and reminds all parties to turn off mobile phones.</p> <p data-bbox="395 969 1286 1001">2.2 The Chairman asks all present to introduce themselves</p> <p data-bbox="395 1039 1297 1113">2.3 The Councillor will be asked whether they wish to briefly outline their position</p>
3	<p data-bbox="395 1122 627 1153"><b><u>The Complaint</u></b></p> <p data-bbox="395 1191 1358 1408">3.1 The Investigating Officer shall be invited to present their report including any documentary evidence or other material (and to call witnesses as required by the Investigating Officer). This report and documentary evidence must be based on the complaint made to the Council – no new points will be allowed.</p> <p data-bbox="395 1447 1347 1664">3.2 The Councillor against whom the complaint has been made (or their representative) may question the Investigating Officer upon the content of their report and any witnesses called by the Investigating Officer. (This is the Councillor's opportunity to ask questions rising from the Investigators report and not to make a statement)</p> <p data-bbox="395 1702 1337 1809">3.3 Members of the Sub-Committee may question the Investigating Officer upon the content of their report and/or any witnesses called by the Investigating Officer</p>
4	<p data-bbox="395 1816 735 1848"><b><u>The Councillor's case</u></b></p> <p data-bbox="395 1886 1347 2033">4.1 The Councillor against whom the complaint has been made (or their representative) may present their case (and call any witnesses as required by the Councillor or their representative)</p>

	<p>4.2 The Investigating Officer may question the Councillor and/or any witnesses</p> <p>4.3 Members of the Sub-Committee may question the Member and/or any witnesses</p>
5	<p><b><u>Summing Up</u></b></p> <p>5.1 The Investigating Officer may sum up the Complaint</p> <p>5.2 The Member (or their representative) may sum up their case.</p>
6	<p><b><u>Decision</u></b></p> <p>6.1 Members of the Sub-Committee will deliberate in private to consider the complaint in consultation with the Independent Person prior to reaching a decision</p> <p>6.2 Upon the Sub-Committee's return the Chairman will announce the Sub-Committee's decision in the following terms:-</p> <p>6.2.1 The Sub-Committee decides that the Member has failed to follow the Code of Conduct or</p> <p>6.2.2 The Sub-Committee decides that the Member has not failed to follow the Code of Conduct</p> <p>6.2.3 The Sub-Committee will give reasons for their decision</p> <p>6.3 If the Sub-Committee decides that the Member has failed to follow the Code of Conduct the Panel will consider any representations from the Investigator and/or the Member as to:</p> <p>6.3.1 Whether any action should be taken and</p> <p>6.3.2 What form any action should take</p> <p>6.4 The Sub-Committee will then deliberate in private to consider what action if any should be taken in consultation with the Independent Person</p> <p>6.5 On the Sub-Committee's return the Chairman will announce the Sub-Committee's recommendation (in relation to a Parish Councillor a recommendation to the Parish Council)</p> <p>6.6 The Sub-Committee will consider whether it should make any recommendations to the Council or in relation to a Parish Councillor to the Parish Council with a view to</p>

	promoting high standards of conduct among Members.
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