

PROCEDURE FOR A STANDARDS COMMITTEE HEARING

1. Subject to paragraph 1.2 below, the order of business will be as follows:
 - a) Apologies for absence;
 - b) Declarations of interests;
 - c) Approval of Minutes of the previous meeting;
 - d) If the Subject Member is absent, consider whether to adjourn or to proceed with the hearing.
 - e) Introduction by the Chair, of Members of the Standards Committee, the Independent Person, Monitoring Officer, Investigating Officer, Democratic Services Officer, the Council's Legal Advisor, complainant and the Subject Member and their representative;
 - f) Receive representations from the Monitoring Officer and/or Subject Member as to whether any part of the hearing should be held in private and/or whether any documents (or parts thereof) should be withheld from the public/press;
 - g) Determine whether the public/press are to be excluded from any part of the meeting and/or whether any documents (or parts thereof) should be withheld from the public/press. When the public/press are excluded from any part of the meeting, filming, photography and/or audio recordings of the meeting will be prohibited in accordance with the provisions of the Council's Constitution.
 - h) Consider the report of the Investigating Officer and determine the matter.
- 1.2 The Chair may exercise their discretion and amend the order of business, where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.
- 1.3 The Standards Committee may adjourn the hearing at any time.
- 1.4 Witnesses:
 - a) The process of the hearing is inquisitorial, and not adversarial. Witnesses should not be made to feel uncomfortable or that their integrity is being questioned. The purpose of the hearing is to establish the facts.
 - b) All questions to witnesses should be made through the Chair.
- 1.5 Presentation of the complaint:
 - a) The Investigating Officer presents their report including any documentary evidence or other material and calls his/her witnesses. No new points will be permitted.
 - b) The Subject Member or their representative may question the Investigating Officer, and any witnesses called by the Investigating Officer.
 - c) The Standards Committee may question the Investigating Officer upon the content of his/her report, the Independent Person, the Advisory Officer, and any witnesses called by the Investigating Officer, upon the contents of his/her report.

1.6 Presentation of the Subject Member's response:

- a) The Subject Member or their representative presents their response to the Investigating Officer's report, and calls their witnesses.
- b) The Investigating Officer may question the Subject Member and any witnesses called by the Subject Member.
- c) The Standards Committee may question the Subject Member, the Independent Person, the Advisory Officer, and any witnesses called by the Subject Member.

1.7 Summing up:

- a) The Investigating Officer sums up the report.
- b) The Subject Member or their representative sums up their response to the Investigating Officer's report.

1.8 Deliberations of the Standards Committee:

- a) Having heard the representations/views of all parties, the Standards Committee will adjourn the hearing and deliberate in private (assisted on matters of law by a legal advisor) to consider whether, on the facts found, the Subject Member has failed to comply with the Members' Code of Conduct, and if so, what sanctions should be applied.
- b) Prior to reaching a decision, the Standards Committee will consider the views expressed by the Independent Person, including any views on sanctions to be applied and/or recommendations to the Council or Parish Council or Monitoring Officer.
- c) Where the complaint has a number of aspects, the Standards Committee may reach a finding, apply a sanction and/or make a recommendation on each aspect separately.
- d) The Standards Committee will make its decision on the balance of probability, based on the evidence before it during the hearing.
- e) The Standards Committee may at any time come out of private session and reconvene the hearing in public, in order to seek additional evidence from the Investigating Officer, the Subject Member or the witnesses. If further information, to assist the Committee, cannot be presented, then the Committee may adjourn the hearing and issue directions as to the additional evidence required and by whom.
- f) If evidence presented to the Standards Committee highlights other potential breaches of the Council's or Parish Council's Members' Code of Conduct, then the Chair will outline the Committee's concerns and recommend that the matter be referred to the Monitoring Officer as a new complaint.
- g) Having deliberated on its decision and/or recommendations and the application of any sanctions, the Standards Committee will reconvene the hearing in public and the Chair will announce:
 - i) the Standards Committee decision as to whether or not the Subject Member has failed to comply with the Members' Code of

Conduct, detailing the breaches, and the principal reasons for the decision;

- ii) the sanctions (if any) to be applied;
- iii) the recommendations (if any) to be made to the Council or Parish Council or Monitoring Officer; and
- iv) that there is no right of appeal against the Standards Committee decision and/or recommendations.