

## STANDARDS COMMITTEE HEARING PROCEDURE

### 1. Purpose of hearing

To consider the report concerning the allegation made about the conduct of Councillor X.

### 2. Material to be provided to the hearing

The Monitoring Officer/his representative will provide a report which will include:-

1. The Investigating Officer's report.
2. Any material and information provided by Councillor X.
3. The hearing procedure

### 3. Procedure

In attendance:-

Committee Members, Committee Administrator, Legal Adviser (who will be the Monitoring Officer or his representative), Investigating Officer and/or his representative, any other witnesses, Councillor X, his or her representative (if any) and his or her witness(es).

1. The Chairman introduces the Committee, its advisers, checks quorum. Any declarations of interest? If relevant should the Committee proceed in the absence of councillor the subject of the complaint?
2. The Chairman indicates what material the Committee has before it.
3. The Chairman explains the procedure to be followed:-
  - (i) Should the Committee exclude the press/public?
  - (ii) The Investigating Officer/his representative introduces his report and explains the conclusions he/the Investigating Officer has reached. The presenter of the report may call witnesses to give evidence although it is hoped in the majority of cases this will not be necessary and should be avoided.
  - (iii) The Committee to ask Councillor X if he/she requires clarification of any points in the report. If so, and the Committee feels this is relevant and reasonable, the Committee to seek such clarification.
  - (iv) The Committee will seek clarification of any points to help it form a view on whether the allegation has been properly investigated and whether it has sufficient information to enable it to make a properly informed judgement.
  - (v) Councillor X says what he/she wishes to say.
  - (vi) The Committee may then question Councillor X.

- (vii) Councillor X calls any witnesses who have information to give relevant to the issue before the Committee and necessary to establish the true factual position.
- (viii) The Committee may then ask questions of those witnesses.
- (ix) The Committee retire to consider decision.
- (x) Wherever possible, any necessary legal advice will be given publicly but the Committee reserve the right to seek it privately in exceptional circumstances.
- (xiii) Decision with brief reasons announced by the Chairman.
- (xiv) Minutes of meeting are prepared and published in accordance with the usual Committee requirements. Decision published in local newspaper.

Notes:

- (1) The Committee, subject to the above, will regulate its own procedure having regard to the principles of natural justice and the law.
- (2) Issues such as relevance of material before the Committee, objections and so on will be determined by the Chairman.
- (3) The Committee will consider carefully the position covering public/private business in accordance with the requirements of the Local Government Act 1972 (as amended), the Freedom of Information Act and relevant regulations.