

Appendix 6

Standards Complaint Hearing Panel Procedure

1. Chair opens the meeting, introduces all parties present, and briefly outlines the process for the meeting.

2. The Investigation Officer presents a summary of their report and their conclusions.

The Member who is the subject of the investigation, if present, (the Subject Member) can then ask questions of the Investigating Officer. The Committee may also wish to ask

questions.

3. The Subject Member or their representative, if present, will then present their case. The Investigating Officer may wish to ask questions. The Committee may also wish to ask questions.

4. Chairman invites comments of the Independent Person.

5. At the end of this process the Sub- Committee will ask the parties to leave whilst it considers the facts and on whether there has been a breach of the code. Any officer who retires with the panel is there to advise on matters of procedure and law. Any advice given must then be conveyed back publicly to the meeting.

6. The parties will then be asked to return and the Investigating Officer and Subject Member or their representative, if present, will be asked to make representations on what sanctions should be imposed, if the decision is that there has been a breach. If the Subject Member or their representative are not present, the Sub-Committee will move straight from paragraph 5 of this process to paragraph 7.

7. The parties to leave room whilst Sub-Committee sits in private to decide on

appropriate sanctions, if the decision is that there has been a breach. Any officer who

retires with the panel is there to advise on matters of procedure and law. Any advice given must then be conveyed back publicly to the meeting.

8. The parties will then be asked to return and Chair advises parties of decision, which

will be confirmed in writing in the next few days.

9. Chair closes meeting

Although no formal time limits will be imposed on presentations the Chair will have the right to curtail excessive presentations. The Panel will concentrate on those areas of the investigation that are in dispute and all parties are asked to be as succinct as possible and ensure all information presented is relevant.

The hearing must follow the rules of natural justice and allow parties to have their say. The Chair may make slight amendments to the procedure during the hearing for the smooth running of proceedings, but at all times following the rules of natural justice. The Monitoring Officer or their nominee will advise as necessary.