

HEARING PROCEDURE

This sets out a formal hearing procedure the Standards Committee could adopt

Pre-Hearing Matters

1. Declaration of Interests
2. Chair will introduce members of the Committee
3. Chair will ask those present to introduce themselves in the following order, if present:
 - Subject of complaint and any person representing or assisting them (Confirmation also should be given that copies of the report were received);
 - The Independent Person
 - The Monitoring Officer, the Committee Administrator and any other Advisors or Senior Officers present
 - Any other parties present at the hearing
4. The Chair will ask the Monitoring Officer to report:
 - Any requests from the subject for permission for a witness to appear in support of their representation. Any such requests will be determined by the Committee.
 - Any documentary or other information that the subject wishes to present. If there is any such material, the Chair will ask all the other parties to the Hearing whether they consent to it being presented. If they agree, the material will be distributed. If not, the said material may not be distributed unless there are exceptional circumstances which in the Chair's opinion render it necessary and appropriate for the said material to be presented to the Committee. In this regard the Chair's decision will be final.
5. The Chair will invite the subject or their representative to estimate the time required to present their case and ask questions of other parties to the Hearing. They will then ask the complainant, if present, whether they will require a longer period to present their representation. The Committee will determine the maximum period of time allowed for each party to put their case. This decision will be final.

THE HEARING

Immediately the pre-Hearing matters have been dealt with the Hearing will commence.

1. The Chair will ask the Monitoring Officer to summarise the matter under consideration.
2. The members of the Committee and the subject may ask questions of the Monitoring Officer.
3. Starting with the applicant and, in the event of a review, concluding with the respondent, each party will exercise their rights within the identified maximum time, as follows:
 - The subject and complainant to present their case, including responding to any points of which the Council has previously given notice, and call any approved witness or witnesses in support of their case.
 - If given permission by the Chair, and only through the Chair of the Hearing, each member of the Committee, the Monitoring Officer and any party may raise questions of any other party or witness/witnesses.
4. The subject will be given opportunity to sum up their case
5. The Independent Person will provide their views on the complaint and matters raised during the course of debate
6. All those present, other than the members of the Committee, any advisors and the Committee Administrator, will be asked to leave the meeting to allow Members to determine the application.
7. All parties will be recalled. The Chair will advise those present of any advice that has been provided during the determination. They will then announce their decision on whether or not the Code of Conduct has been breached, and any sanctions that they advise.
8. The Chair shall confirm that the ruling of the Standards Committee cannot be appealed.