

Standards (Hearings) Sub-Committee Procedure – Wednesday 6th December 2017

1. The Sub-Committee will hear the Investigating Officers report, call such witnesses as necessary and make representations to substantiate the conclusion that the Member has failed to comply with the Code of Conduct.
2. Relevant questions may be asked of the Investigating Officer by the :
 - (i) Complainant
 - (ii) The Member
 - (iii) Sub- Committee
3. The Complainant will then have the opportunity to present his case, including any witnesses.
4. Relevant questions may be asked of the complainant and any witnesses by:
 - (i) Investigating Officer
 - (ii) The Member
 - (iii) Sub- Committee
5. The Member will then have the opportunity to present his case, call such witnesses as necessary and make representations to the Sub-Committee as to why he considers that he did not fail to comply with the Code of Conduct.
6. Relevant questions may be asked of the Member and any witnesses by:
 - (i) Investigating Officer
 - (ii) Complainant and any witnesses
 - (iii) Sub- Committee
7. A summary of their respective cases may then be presented by:
 - (i) The Investigating Officer
 - (ii) Complainant
 - (iii) The Member
8. The Independent Person will then provide their view.
9. The Sub-Committee will then determine their findings.
10. On resumption the Chairman will announce the outcome.

DECISION OF THE SUB-COMMITTEE

If the Hearings Panel, with the benefit of any advice from the Independent Person, concludes that the Member did not fail to comply with the Code of Conduct, they will dismiss the complaint.

If the Sub-Committee concludes that the Member did fail to comply with the Code of Conduct, the Chairman will inform the Member of this finding and the Sub-Committee will then consider what action, if any, the Sub-Committee should take as a result of the Member's failure to comply with the Code of Conduct.

Where the Sub-Committee find that a Member has failed to comply with the Code of Conduct it may -

- (a) censure or reprimand the Member;
- (b) publish its findings in respect of the Member's conduct;
- (c) report its findings to Council [or to the parish council] for information;
- (d) recommend to the Member's Group Leader (or in the case of un-grouped Members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- (e) in the case of an Executive Member, recommend to the Executive Leader of the Council that the Member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- (f) the case of the Executive Leader recommend to Council that the Member be replaced as Executive Leader;
- (g) instruct the Monitoring Officer to [or recommend that the parish council] arrange training for the Member;
- (h) remove [or recommend to the parish council] that the Member be removed from all outside appointments to which he/she has been appointed or nominated by the Council;
- (i) withdraw [or recommend to the parish council that it withdraws] facilities provided to the Member by the Council, such as a computer, website and/or email and Internet access; or
- (j) exclude [or recommend that the parish council exclude] the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

The Sub-Committee has no power to suspend or disqualify the Member or to withdraw Members' or Special Responsibility Allowances.