

PROCESS SUMMARY & CHECKLIST

following an investigation being concluded to referral for a hearing, where
evidence of a breach has been found

(reference paragraph 7.1.2 of the Complaints Procedure)

STEP	ACTION	TIMESCALE	COMPLETED
1.	<p>NOTIFICATION OF MATTER BEING REPORTED FOR A HEARING:</p> <p>Parties to be notified by the Monitoring Officer that it is considered necessary in accordance with paragraph 7.1.2 to report the Investigation Report to the Standards Committee, which will conduct a hearing, before deciding whether the Subject Member has failed to comply with the Code of Conduct.</p> <p>Notice of the Standards Committee meeting date to be notified in due course.</p>	Within 5 working days of the Investigators Final Report being received.	
2.	<p>SCHEDULE DATE FOR THE STANDARDS COMMITTEE</p> <p>A hearing should wherever possible take place within three months of the date on which the investigator's report was completed. Schedule date of meeting seeking availability from the Committee Members, Independent Person and relevant Officers.</p> <p>If possible, to include the Subject Member, but not mandatory.</p> <p>Chairman of the Standards Committee to confirm the date, as per the Constitution.</p>	Date to be scheduled within 2 weeks, but will be further in advance to allow next steps to proceed	
3.	<p>NOTIFY PARTIES</p> <p>Once the date for the Standards Committee has been scheduled – Monitoring Officer to notify the following:</p> <ul style="list-style-type: none"> • the Subject Member • the Investigator 	Within 1 working day of date being agreed with the Chairman of the	

	<ul style="list-style-type: none"> the relevant Independent Person(s) the Complainant (if appropriate) the Clerk of any relevant Town or Parish Council. <p>Provide a copy of the Council's formally adopted Hearing Procedure, as set out in Annex F.</p> <p>Request the Investigator to confirm within set timescale whether they wish to call any witnesses.</p> <p>Refer the Subject Member to paragraph 7.1 Pre-Hearing Process and request the written response required in Step 4 below.</p>	Standards Committee.	
4.	<p>REQUEST WRITTEN RESPONSE FROM SUBJECT MEMBER</p> <p>The Subject Member to provide a written response within a set time. This is to find out whether the Subject Member:</p> <ul style="list-style-type: none"> (i) will be represented at the hearing, if so, confirmation as to whether this is legal representation or general support. (ii) disagrees with any of the findings of fact in the Investigation Report, including reasons for any of these disagreements. (iii) intends to give evidence to the hearing, either verbally or in writing. (iv) wishes to call relevant witnesses (name and reason) to give evidence to the Standards Committee. <p><u>Note</u> - should the Subject Member wish witnesses to attend the Hearing, either in person or virtually, sufficient reasoning should be given as to why the evidence as set out in the Investigation Report needs to be demonstrated further. Witnesses may be called but clear, timely reasons should be given, and it should be noted that no cross-examination is permitted.</p>	Response to be received with 5 working days.	

	<p>(v) request any part of the hearing to be held in private</p> <p>(vi) wants to request any part of the Investigation Report or other relevant documents to be withheld from the public.</p>		
5.	<p>AVAILABILITY</p> <p>Respond in accordance with paragraph 7.1.2 of the Complaints Procedure if the Subject Member or witnesses are unable to make the specified date.</p>		
6.	<p>SCHEDULE A PRE-HEARING BRIEFING</p> <p>Send the Investigation Report and Draft Committee Report to the Standards Committee members to prepare for the pre-hearing step.</p>	Following receipt of the written response from the Subject Member	
7.	<p>HOLD A PRE-HEARING FOR THE STANDARDS COMMITTEE MEMBERS TO:</p> <p>(i) Decide whether any of the findings of fact in the investigation report are in dispute.</p> <p>(ii) If so, how relevant they are likely to be at the hearing.</p> <p>(iii) Consider any additional evidence it considers is required at the hearing.</p> <p>(iv) Identify any witnesses it thinks it would want to hear from.</p> <p>(v) Decide if witnesses which the Subject Member or Investigator may want to call are relevant bearing in mind the nature of the issue and the need for proportionality.</p> <p>(vi) Consider, on the advice of the appropriate officer, whether there are any parts of the hearing that are likely to be held in private on the grounds that</p>	3 weeks before the Scheduled Standards Committee meeting to allow the next step to be progressed.	

	<p>they contain 'exempt' material though the final decision will rest with the Standards Committee on the day.</p> <p>(vii) Identify any potential conflicts of interest, for example any close associations with the people involved or potential witnesses.</p> <p>(viii) To include a Briefing on the Hearing Procedures.</p>		
8.	<p>PRE-HEARING ACTIONS</p> <p>Once the pre-hearing has been held the Monitoring Officer should write to everyone involved in the complaint.</p> <p>To confirm:</p> <ul style="list-style-type: none"> (i) The date, time and place for the hearing (ii) Whether the Subject Member or Investigator will be represented at the hearing (iii) Those witnesses, if any, who will be asked to give evidence and outline the proposed procedure for the hearing. 	At least two weeks before the hearing.	
9.	<p>PUBLISH THE STANDARDS COMMITTEE AGENDA</p> <p>Part A Report</p> <p>Part B Report (include the Investigators Report)</p>	At least 5 clear working days before the meeting.	