

Date:

Member:

:

CHAIR'S PROCEDURAL NOTES

Standards Committee **Hearings Panel Procedure**

Agenda Items:

The Meeting is opened with **Election of Chair**. As no member is formally appointed at this point, the Democratic Services Officer will ask Members to propose a chair and for this to be seconded. The Chair will then be declared and take charge of the meeting.

The Chair will ask Members for any **declarations of interest**.

The Chair will then need to determine if press and public should be excluded from the hearing or any part of it. The Chair to **invite submissions** from (**NAME**) the Investigating Officer/ESO and (**NAME**) the Member before the Panel make a determination.

The Chair can then move on to item 4 on the agenda and welcome parties to the Hearing if felt appropriate before moving on to the Hearings Procedure which is located behind the agenda in the bundle of papers and modified for ease of use below:

Hearings Procedure:

1. Ask parties to identify and introduce themselves.
- 2&3. Ask (**insert name**) the Legal Adviser to the Panel to explain the procedure.
4. Ask (**insert name**) the Democratic Services Officer if notice of a representative or witness has been received. If Members are unsure as to whether these witnesses should be accepted, seek Legal Advice from (legal adviser).
5. Read out the following summary of the complaint:-

(**summary of complaint to be inserted**)
6. Ask (**insert name**) [the Monitoring Officer] to present their report.

If any new matters are raised or new evidence is introduced, seek Legal advice on whether to allow it and proceed or adjourn to allow all parties time to consider the new matters.
7. Ask (**insert name**) [the Investigating Officer/ESO] if they dispute any of the facts.
8. Ask (**insert name**) [the Member] if they dispute any of the facts.

9. Ask **(insert name)** [the Investigating Officer/ESO] to make his/her submissions on the facts and call any witnesses.

10-11. **Questions to the Investigating Officer/ESO:**

- (a) Ask **NAME** [the Member] if he/she has any questions for the Investigating Officer/ESO or their witnesses
- (b) Ask **MEMBERS** of the Panel if they have any questions for the Investigating Officer/ESO or their witnesses

If parties stray from questioning towards the giving of statements, remind them that this part of the procedure is for questions on the facts only and they will have an opportunity to make their own submission later in the proceedings.

12. Ask **NAME** [Member] to make his/her submission and call witnesses

If any new matters are raised or new evidence is introduced, seek Legal advice on whether to allow it and proceed or adjourn to allow all parties time to consider the new matters.

13-14. **Questions to the Member:**

- (a) Ask **NAME** [the Investigating Officer/ESO] if he/she has any questions to ask the Member or their witnesses
- (b) Ask **MEMBERS** of the Panel if they have any questions for the Member or their witnesses

If parties stray from questioning towards the giving of statements, remind them that this part of the procedure is for questions on the facts only and they will have an opportunity to make their own submission later in the proceedings.

- 15-16. Panel to retire with Democratic Services Officer. **WITHDRAW**

On return **announce** findings of fact.

17. Ask **(insert name)** [the Investigating Officer/ESO] to make his/her submissions as to whether the facts amount to a breach of the Code.

18-19. **Questions to the Investigating Officer/ESO:**

- (a) Ask **NAME** [the Member] if he/she has any questions for the Investigating Officer/ESO
- (b) Ask **MEMBERS** of the Panel if they have any questions for the Investigating Officer/ESO

20. Ask **NAME** [Member] to make his/her submission as to whether the facts amount to a breach of the Code.

21-22. **Questions to the Member:**

- (a) Ask **NAME** [the Investigating Officer/ESO] if he/she has any questions to ask the Member

(b) Ask **MEMBERS** of the Panel if they have any questions for the Member

23-24. Panel to retire with Democratic Services Officer. **WITHDRAW**

On return **announce** determination on breach.

25. If no breach, **close** the meeting.

26. If there is a breach, ask **NAME** (the Investigating Officer/ESO) for his/her submissions in respect of sanctions.

27. Ask **NAME** (Member) for his/her submissions in respect of sanctions.

28-29. Panel to retire with Democratic Services Officer. **WITHDRAW**

On return **announce** sanction(s) to be applied.

30-31. Tell Member he/she has right to seek **appeal**, details will be included in written notification of decision which will be sent to all parties as soon as possible.

Once the decision has been notified, you may thank parties for attending and declare the meeting closed.