

MEMBER CODE OF CONDUCT (HEARING STAGE) PROCEDURE

Preliminaries

1. The Hearing will normally be held in public unless deemed exempt under Access to Information legislation.
2. The Subject Member may be accompanied or represented at the Hearing.
3. The Monitoring Officer or his/her representative will advise the Chairman on matters of procedure and can accompany the Committee to give advice during any adjournment.
4. The meeting may be adjourned at any time by the Chairman.

Introduction

5. The Chairman of the Committee will introduce those present and explain why they are there including any other person/representative. The Chairman will explain that the purpose of the meeting is to consider whether the Subject Member has breached the Code of Conduct. The Chairman will explain how the Hearing will be conducted.

Statement of Complaint

6. The Investigation Officer will state what the complaint is and outline the case briefly by going through the evidence that has been gathered. Questions may be asked on the evidence presented by the Committee and/or the Subject Member
7. The Investigating Officer may call any witnesses they consider appropriate, and questions may be asked on the evidence by the Committee and/or the Subject Member

Subject Member's Reply

8. The Subject Member will be given the opportunity to state his/her case and answer any allegations that have been made, present evidence, call witnesses and also give any explanation for conduct and any special circumstances to be taken into account.
9. Witnesses and/or the Subject Member may be asked questions on their evidence by members of the Committee and/or the Investigating Officer

Summing Up

10. The Investigating Officer will summarise the main points concerning the complaint.
11. The Subject Member will be given the opportunity to summarise the main points of their case.
12. The view of the Independent Person will be sought if in attendance at the Hearing.

Decision

13. The Committee will adjourn to deliberate.
14. The Chairman will put forward the decision under normal committee rules and vote will take place.
15. The decision will be announced.
16. Prior to any decision on sanctions the Subject Member will have an opportunity to put forward any mitigation.

Appeal

17. There is no right of appeal against the Committee's decision.