

**Supplement to the agenda for**

# **Standards Panel**

**Tuesday 16 October 2018**

**4.00 pm**

**Committee Room 1, Shire Hall**

|  | <b>Pages</b> |
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| <b>3. APPEAL OF A MONITORING OFFICER RESOLUTION BY A<br/>COMPLAINANT</b> | <b>3 - 4</b> |



## Standards Panel

### Procedure for hearing an appeal

On the day of the standards panel, the following will occur:

- A chairperson of the panel will be elected (if an independent person is not available to chair the meeting);
- A decision will be taken by the panel as to whether or not there will be a formal resolution to exclude the press and public on the grounds that an individual may be identified and the public interest.
- Introductions of all parties will be made.
- The complainant and the subject member will be invited to present their views on the appeal (*to a maximum time of 10 minutes*)
- The panel members may ask questions of the complainant and subject member. There will be no cross examination by either the complainant or subject member.
- The monitoring officer or deputy monitoring officer whoever carried out the complaints process will be available to answer any questions the panel members may have.
- The independent person who had been consulted on the complaint will also be available to answer any questions the panel members may have.
- The complainant or subject member who submitted the appeal will be invited to make a closing statement.
- With the exception of the panel, the clerk and the advisor all other attendees will be required to leave the room so that the panel can discuss and arrive at a decision
- The subject member and complainant will be invited back into the meeting room where the outcome of the panel's discussion will be verbally delivered
- Where there is a finding of a breach of the code of conduct, the meeting will then be opened back up to the press and public and the outcome repeated.
- A decision notice will sent to both the complainant and subject member within 10 working days of the meeting.
- Where there is a finding of a breach of the code of conduct, details will appear in the decisions of the standards panel page of the council's website within 14 working days.
- The decision is final and there are no further rights of appeal.
- If either party remains unhappy about the process which has been followed, they may complain to the Local Government and Health and Social Care Ombudsman.

