

## ISLE OF MON COUNTY COUNCIL / ANGLESEY COUNTY COUNCIL

<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>6 February 2025</b>
<b>REPORT TITLE:</b>	<b>Standards Committee Hearing Process</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To introduce changes that have been made to the Standards Committee Hearing Process</b>
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### 1. BACKGROUND

- 1.1 One of the statutory duties of the Standards Committee is to deal with any report by the Monitoring Officer on any matter referred to them by the Public Services Ombudsman for Wales in relation to allegations of breaches of the Code Conduct by Members.
- 1.2 Having arrangements in place and published ensures transparency and consistency when the Standards Committee considers alleged breaches of the Code Conduct for Members.

### 2. PROCESS

- 2.1 A process for dealing with holding Hearings following a referral from the Public Services Ombudsman for Wales for breach of Code of Conduct had already been adopted by the Standards Committee. However, no hearing has been held by the Committee for a number of years. With three cases being investigated by the Public Services Ombudsman for Wales over the Summer 2024 period, external Training on conducting Hearings was arranged, in order to prepare should one or more of those cases be referred for the attention of the Standards Committee for determination. Whilst generally praising the arrangements in this adopted Process, the external Trainer recommended that the Process be modified so that there are three steps (rather than two steps) in the Committee's considerations.
- 2.2 Work has been undertaken to adapt the Process so that there are three steps within the process from now on:
  1. Fact-finding;
  2. On those facts, establish whether the Standards Committee considers this to be in breach of the provisions of the Code of Conduct; and
  3. Sanction

- 2.3 The previous version of the process stated that steps 1 and 2 above would run concurrently but it was considered that this could lead to less focus on issues.
- 2.4 In making these changes, we took the opportunity to make further changes, including:-
- That members of the Standards Committee remind themselves of the ten principles of public life during their considerations;
  - That the Standards Committee must show evidence of its decision, i.e. show the working out; and
  - Confirm that decisions are made on the balance of probabilities.
- 2.5 A copy of the revised Hearing Process is included in **Enclosure 1**.
- 2.6 This revised document has already been shared with members of the Standards Committee by email on 29 November, 2024. The responses received are positive.
- 2.7 Note that the process in **Enclosure 1**, like the previous process, includes flexibility so that the Chair may agree to vary the procedure in any particular case if they believe it is necessary to do so in the interests of fairness.
- 2.8 If there is a difference between legislation and that set out in **Enclosure 1**, the legislative provision will take priority.

### **3. RECOMMENDATIONS**

- 3.1 That the Standards Committee agrees with the adoption of the process included in **Enclosure 1** as a procedure to determine complaints about members misconduct.
- 3.2 That arrangements are made for the publication of this revised process, as applicable.

## Isle of Anglesey County Council - Standards Committee

## Procedure for Local Standards Hearings

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**1 Introduction**

This procedure sets out how the Standards Committee will determine complaints of member misconduct. If there is any conflict between this document and a relevant statutory provision, the statutory provision takes precedence.

The Committee must decide on a complaint against a member either:

- after the complaint is referred to the Monitoring Officer by the Ombudsman for investigation and then report to the Standards Committee; or
- after the Ombudsman has referred their report of investigation to the Monitoring Officer for submission to the Standards Committee.

**2 Interpretation**

- (a) “Member” means the member of the Council who is the subject of the allegation being considered by the Standards Committee, unless stated otherwise. It also includes the Member’s nominated representative.
- (b) “Investigating Officer” means the Public Services Ombudsman for Wales (PSOW), and includes their nominated representative.  
In the case of matters that have been referred for local investigation, references to the Investigating Officer means the person appointed by the Monitoring Officer to undertake that investigation.
- (c) “The Matter” is the subject matter of the Investigating Officer’s report.
- (ch) “The Standards Committee” refers to the Standards Committee, or to any Standards Sub-Committee, to which it has delegated the conduct of the hearing.
- (d) “The Committee Support Officer” means an Officer of the Council responsible for supporting the Standards Committee’s discharge of its functions and recording the decisions of the Standards Committee.
- (dd) “The Legal Advisor” means the Officer responsible for providing legal advice to the Standards Committee. This may be the Monitoring Officer, another legally qualified officer of the authority, or someone appointed for this purpose from outside the authority.
- (e) “The Chair” refers to the Chair of the Standards Committee or, if different, the person presiding at the hearing.
- (f) “The Complainant” means the person or persons who made the original allegation in relation to the Member’s conduct which has been investigated.

- (ff) “The Code of Conduct” means the Code of Conduct for members adopted by the Council in accordance with section 51 of the Local Government Act 2000.
- (g) “the Principles” means the principles which govern the conduct of members and co-opted members, specified by Welsh Ministers under section 49 of the Local Government Act 2000.

### **3 Modification of Procedure**

The Chair may agree to vary this procedure in any particular instance where they are of the opinion that such a variation is necessary in the interests of fairness.

### **4 Representation**

- The Member may be represented or accompanied at any stage of this procedure by a Solicitor, Counsel or, with the permission of the Standards Committee, by another person.
- Note that the cost of such representation must be met by the Member, unless the Indemnities Sub Committee has expressly agreed to meet all or any parts of that cost.
- Members of Anglesey County Council should be aware of the Council's Indemnities Policy; they may contact the Legal Advisor for further information regarding this Policy.

### **5 Legal Advice**

The Standards Committee may take legal advice from its Legal Advisor at any time during the process set out in paragraphs 8-10. The substance of any legal advice given to the Standards Committee will be shared with the Member and the Investigating Officer if they are present.

### **6. Balance of Probabilities**

The standard of proof which the Standards Committee must apply in relation to establishing (i) the facts of the case and (ii) whether the Member failed to comply with the Code of Conduct, is the balance of probabilities.

### **7. Principles**

In making its considerations in respect of whether a Member has failed to comply with the Code of Conduct, the Standards Committee must remind itself of the Principles.

### **8. First Stage - Initial Determination**

- (a) Upon receipt of the Investigating Officer’s report, the Legal Advisor will

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contact the Member, the Investigating Officer and the Complainant to confirm receipt of the report and to confirm the next steps.

- (b) Then, the Legal Advisor will refer the report to the Standards Committee, which will meet to resolve either –
  - (i) there is no evidence of any failure to comply with the Code of Conduct, or
  - (ii) That the Matter must go to a local hearing so as to enable the Member to make representations , orally or in writing, in respect of the findings of the investigation and any allegation that the Member has failed or may have failed, to comply with the Code of Conduct.
- (c) Where the Standards Committee resolves that there is no evidence of a failure to comply with the Code of Conduct, the decision will be published. The Member, the Investigating Officer and the Complainant will be informed.
- (ch) Where the Standards Committee resolves that the Matter will go to a local hearing, the Legal Advisor will conduct the pre-hearing procedure as set out in paragraph 9 below.

## **9. Second stage - Pre-Hearing Procedure**

Following a resolution of the Standards Committee to conduct a local hearing on a matter, the Legal Advisor will:

- (a) Arrange a date for the Standards Committee's hearing as determined by the Chair;
- (b) Send a copy of the report to the Member and advise them of the date, time and place for the hearing;
- (c) Send a copy of the report to the Complainant and advise them of the date, time and place for the hearing;
- (ch) Notify the Community Council of the Matter and of the date, time and place of the hearing (where the Matter relates to the conduct of a Community Councillor);
- (d) Notify the Investigating Officer of the date, time and place of the hearing seeking confirmation if they intend on attending the hearing, calling witnesses to give evidence and if they believe any part of the meeting / documents should be exempt or confidential;
- (dd) Request the Member to complete and return the pre-hearing forms appended to this Procedure as Forms A-E within 14 days of receipt;
- (e) In the light of any pre-hearing forms returned by the Member, the Legal Advisor will determine whether the Standards Committee will require the

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attendance of the Investigating Officer and any additional witnesses<sup>1</sup>, including the Complainant, at the hearing to enable it to come to a properly considered conclusion at the hearing, and arrange for their attendance. It will also be considered if any additional information is necessary to assist the Committee during the hearing. The Chair will be consulted on these matters.

- (f) Request the Chair to make such directions as to the conduct of the hearing as may be necessary for the effective conduct of the hearing, which directions may address such issues as –
  - (i) The time that the Standards Committee will sit to conduct the hearing;
  - (ii) Any matters which are to be taken as read and on which evidence is not required;
  - (iii) The witnesses to be heard and the times at which they should be present; and
  - (iv) The presence of witnesses when not giving evidence.
- (ff) Prepare a Pre-Hearing Summary Report setting out the course of the allegation, investigation and Pre-Hearing Process and highlighting the issues which the Standards Committee will need to address, and
- (g) Arrange with the Committee Support Officer that the agenda for the hearing, together with the Legal Advisor's Pre-Hearing Summary Report, the Investigating Officer's report and any other relevant documents are sent to:
  - (i) All members of the Standards Committee who will conduct the hearing;
  - (ii) The Member;
  - (iii) The Complainant, and
  - (iv) The Investigating Officer.

## **10. Third Stage – The Hearing**

### **10.1 Introduction**

At the start of the hearing, the Chair will introduce each of the members of the Standards Committee, the Member (if present), the Investigating Officer (if present) and any other Officers present, and will then explain the procedure which the Standards Committee will follow in the conduct of the hearing.

### **10.2 Preliminary Procedural Issues**

The Standards Committee will then deal with the following preliminary procedural matters in the following order:

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<sup>1</sup> Where the Member has indicated that they dispute any finding of fact in the Investigating Officer's report, the Standards Committee will need to hear evidence on the disputed point from a first hand witness, wherever possible.

- (a) Apologies for absence
- (b) Disclosures of interest

The Chair will ask members of the Standards Committee to disclose the existence and nature of any personal or prejudicial interests which they have in the Matter, and to withdraw from consideration of the Matter if so required.

- (c) Quorum

The Chair will confirm that the Standards Committee is quorate<sup>2</sup>

- (ch) Hearing procedure

The Chair will confirm that all present know the procedure which the Standards Committee will follow in determining the Matter.

- (d) Proceeding in the absence of the Member or the Investigating Officer or another party

If the Member or the Investigating Officer or another party is not present at the start of the hearing:

- (i) the Chair will ask the Legal Advisor whether they had indicated their intention not to attend the hearing;
- (ii) the Standards Committee will then consider any reasons which they have provided for not attending the hearing and will decide whether it is satisfied that there is sufficient reason for such failure to attend;
- (iii) if the Standards Committee is satisfied with such reasons, it will adjourn the hearing to another date;
- (iv) if the Standards Committee is not satisfied with such reasons, or if the individual has not given any such reasons, the Standards Committee will decide whether to consider the Matter and make a determination in the absence of the individual or to adjourn the hearing to another date.
- (v) The Standards Committee can make arrangements that seem the best to deal with the Matter fairly.

- (dd) Exclusion of Press and Public

- The Standards Committee may exclude the press and public from all or part of its consideration of the Matter where it appears likely that confidential or exempt information will be disclosed in the course of its consideration.

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<sup>2</sup> A meeting of the Standards Committee is not quorate unless at least three members of the Standards Committee are present for the duration of the meeting. The Chair must be an Independent member, and at least half of the members of the Committee present must be Independent members. Where the Committee is considering a matter relating to the conduct of a member of a Community Council, at least one member of the Committee must be a Community Council representative, but the Committee is not inquorate by reason of the absence of the Community Council representative.

- The Chair will ask the Member, the Investigating Officer and the Legal Advisor to the Standards Committee whether they wish to ask the Standards Committee to exclude the press and public from all or any part of the hearing. If any of them so request, the Chair will ask them to put forward reasons for so doing and ask for responses from the others, and the Standards Committee will then determine whether to exclude the press and public from all or any part of the hearing.
- Where the Standards Committee does not resolve to exclude press and public, the agenda and any documents which have been withheld from the press and public in advance of the meeting will then be made available to the press and public.

### **10.3 Presentation of Pre-Hearing Summary Report**

The Chair will ask the Legal Advisor or the Committee Support Officer to present the Legal Advisor's Pre-Hearing Summary Report, highlighting any points of difference in respect of which the Member has stated that they disagree with any finding of fact in the Investigating Officer's report.

### **10.4 Admission of non-compliance**

The Chair will then ask the Member to confirm whether they admit that they have failed to comply with the Code of Conduct.

If the Member admits that they have failed to comply with the Code of Conduct in the manner described in the Investigating Officer's report and summarised in the Legal Advisor's Summary Report, the Standards Committee may then take the Investigating Officer's report as read and make a determination that the Member has failed to comply with the Code of Conduct in the manner described in the Investigating Officer's report and proceed directly to consider whether any action may be taken in respect of the Member's conduct.

### **10.5 Establishing the facts**

#### **(a) Additional points of difference**

- (i) If the Member denies that they have failed to comply with the Code of Conduct in the manner described in the Investigating Officer's report, the Chair will then ask the Member to confirm that the presentation by the Legal Advisor or the Committee Support Officer of the Legal Advisor's Pre-Hearing Summary Report, is an accurate summary of the issues. The Chair will also ask the Member whether there are any additional points upon which they disagree with any finding of fact in the Investigating Officer's report.

- (ii) If the Member identifies additional points of difference, the Chair will

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ask the Member to explain why they did not identify these points as part of the pre-hearing process. They will then ask the Investigating Officer (if present) whether they are in a position to deal with those additional points of difference directly or through any witnesses who are in attendance or whose attendance at the hearing can conveniently be arranged.

- (iii) Where the Standards Committee is not satisfied with the Member's reasons for failing to identify each additional point of difference as part of the pre-hearing process, it may
  - decide that it will continue the hearing but without allowing the Member to challenge the veracity of those findings of fact which are set out in the Investigating Officer's report but in respect of which the Member did not identify a point of difference as part of the pre-hearing process, or
  - decide to adjourn the hearing to allow the Investigating Officer and/or any additional witnesses to attend the hearing.
- (iv) The assumption will be that any new issue or evidence that could have been raised during the pre-hearing process must not be allowed unless there is good reason to do so.

(b) Presenting the Investigating Officer's report

- (i) If the Investigating Officer is present, the Chair will then ask the Investigating Officer to present their report, having particular regard to any points of difference identified by the Member. The Investigating Officer may call witnesses as necessary to address any points of difference.
- (ii) If the Investigating Officer is not present, the Standards Committee will only conduct a hearing if they are satisfied that there are no substantial points of difference or that any points of difference can be satisfactorily resolved in the absence of the Investigating Officer. In the absence of the Investigating Officer, the Standards Committee will determine on the advice of the Legal Advisor which witnesses, if any, to call. Where such witnesses are called, the Chair will draw the witnesses' attention to any relevant section of the Investigating Officer's report and ask the witness to confirm or correct the report and to provide any relevant evidence.
- (iii) No cross-examination will be permitted but, at the conclusion of the Investigating Officer's report and/or of the evidence of each witness, the Chair will ask the Member if there are any matters upon which the Standards Committee may seek the representations of the Investigating Officer or the witness, and then the members of the Standards Committee may address questions to the Investigating Officer or the witness.

(c) The Member's response

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- (i) The Chair will then invite the Member to respond to the Investigating Officer's report and to call any witnesses as necessary to address any points of difference.
  - (A) The Member may arrange for their representative to make submission on their behalf, and/or to introduce the Member and any witnesses on their behalf;
  - (B) The Member does not have to give evidence or to answer any questions, but the Standards Committee may draw reasonable conclusions from any failure on their part to give evidence or to answer any question.
- (ii) No cross-examination will be permitted but, at the conclusion of the Member's evidence and/or of the evidence of each witness, the Chair will ask the Investigating Officer if there are any matters upon which the Standards Committee may seek the representations of the Member or the witness, and then the Members of the Standards Committee may address questions to the Member or the witness.

(ch) Witnesses

The Standards Committee will be entitled to refuse to hear evidence from the Investigating Officer, the Member or a witness unless they are satisfied that the witness is likely to give evidence which they need to hear in order to be able to determine whether there has been a failure to comply with the Code of Conduct.

(d) Additional Evidence

- (i) At the conclusion of the evidence, the Chair will check with the Members of the Standards Committee that they are satisfied that they have sufficient evidence to come to a considered conclusion on the Matter.
  - (ii) If the Standards Committee, at any stage prior to determining whether there was a failure to comply with the Code of Conduct, are of the opinion that they require additional evidence on any point in order to be able to come to a considered conclusion on the Matter, the Standards Committee may adjourn the hearing and make a request to the Investigating Officer to seek and provide such additional evidence and to undertake further investigation on any point specified by the Standards Committee. The hearing may not be adjourned more than once under this paragraph.
- (dd) The Member and the Investigating Officer will be given an opportunity to make closing representations.

## **10.6 Deliberations**

(a) Preliminary points and procedure

- (i) The Standards Committee's function is to make a determination on the Matter. It may, at any time, return to the main hearing room

in order to seek additional evidence from the Investigating Officer, the Member or a witness. If it requires any further information, it may adjourn and instruct the Investigating Officer or request the Member to produce such further evidence to the Standards Committee.

- (ii) If the Standards Committee requires legal advice on any point, may either –
  - Request the Legal Adviser to join the Committee and provide such advice, in which case the Legal Advisor will repeat such advice in open forum when the Standards Committee returns, and the Member's legal representative may respond to such advice; or
  - Return to open forum and request the Legal Advisor to give advice, inviting the Member's legal representative to respond to any such advice.

(b) Determining the facts

The Standards Committee will retire to another room to consider whether the facts of the allegations are likely to have been proven, on the balance of probabilities, based on the evidence.

(c) Determining if there was a failure to comply with the Code of Conduct

The Standards Committee will remain in a private room to consider whether, on the balance of probability based on the evidence which it has received at the hearing, the Member failed to comply with the Code of Conduct in the manner set out in the Investigating Officer's report.<sup>3</sup>

(ch) Initial consideration of Recommendations and Sanctions

At the conclusion of the Standards Committee's consideration, the Standards Committee will consider whether it is minded to make any recommendations to the

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<sup>3</sup> Note that the Standards Committee's consideration is limited to the Matter, in terms of the set of facts, as set out in the Investigating Officer's report. The Standards Committee may find that these facts disclose a breach of a part of the Code of Conduct other than that found by the Investigating Officer (for example that the facts constituted bullying rather than just a failure to treat with respect). However, if, in the course of their consideration, the Standards Committee apprehend that the evidence before them reveals an entirely different failure to comply with the Code of Conduct (for example where the complaint is of failure to treat Officer A with respect, but the evidence also indicates a failure to treat Officer B with respect), such a possible additional or alternative failure will not be within the remit of the Standards Committee. At that stage, the member will not have had notice of the Standards Committee's consideration of the possible additional or alternative failure and it would therefore be unfair to proceed to consider that second matter at the hearing into the first alleged failure. Where the Standards Committee do apprehend a possible additional or alternative failure, a failure by a different member, or a failure in respect of the code of conduct of another authority, they must refer the second matter to the PSOW as a new allegation.

Council with a view to promoting high standards of conduct among Members. The Standards Committee will generally consider the type of sanction that would be suitable in the case.

(d) Recording the reasoning

In respect of each determination that Standards Committee makes, it must record its reasoning for that determination, in writing.

**10.7 Actions following a determination that a Member has not breached the Code of Conduct in the manner set out in the Investigating Officer's Report**

If the Standards Committee determines that the Member has not failed to follow the Code of Conduct in the manner set out in the Investigating Officer's report:

- (a) The meeting must be re-convened and the Chair must summarise the Standards Committee's findings;
- (b) If the Standards Committee apprehends, from the evidence which they have received during the hearing, that a Member has failed to comply with the Code of Conduct (other than the Matter which the Standards Committee has just determined), the Chair will outline the Standards Committee's concerns and state that the Standards Committee has referred this additional or alternative failure to the Legal Advisor with a view to a further allegation being made to the Public Services Ombudsman for Wales.
- (c) The Chair must then set out any recommendations which the Standards Committee is minded to make to the Council with a view to promoting high standards of conduct among Members and seek the views of the Member, the Investigating Officer and the legal advisor before the Standards Committee finalises any such recommendations.
- (ch) Finally, the Chair must ask the Member whether they wish the Council not to publish a statement of its finding in a local newspaper.

**10.8 Actions following a determination that a Member has failed to comply with the Code of Conduct in the manner set out in the Investigating Officer's Report**

(a) Initial procedure

If the Standards Committee determines that the Member has failed to follow the Code of Conduct in the manner set out in the Investigating Officer's report:

- (i) The meeting must be re-convened and the Chair must summarise the Standards Committee's findings;
- (ii) The Chair may then indicate the order of sanction which the Chair considers may be appropriate and ask the Member or the Member's legal

representative to make representations on sanction.<sup>4</sup>

- (iii) The Chair may then ask the Investigating Officer to make representations as to sanction.
- (iv) The Chair will then ensure that each member of the Standards Committee is satisfied that they have sufficient information to enable them to take an informed decision as to whether to impose a sanction and (if appropriate) as to the form of the sanction.
- (v) Any member of the Standards Committee may address questions to the Investigating Officer or to the Member as necessary to enable them to take such an informed decision.

#### (b) Determination as to sanctions and recommendations

- (i) The Standards Committee will then retire to another room to consider in private and to determine:
  - (ii) whether to impose a sanction,
  - (iii) having due regard to the Adjudication Panel for Wales's Sanctions Guidance (where a sanction is to be imposed) what sanction to impose,; and
  - (IV) when that sanction must take effect, and
  - (V) any recommendations which the Standards Committee will make to the Council.
- (ii) In respect of each determination the Standards Committee makes, it must record its reasoning for that determination, in writing.
- (iii) At the completion of their consideration, the Standards Committee will return to the main hearing room and the Chair will state the Standards Committee's decisions

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<sup>4</sup> The decisions as to sanctions which are available to the Standards Committee are any of the following:  
“(i) that no action is required;  
(ii) to censure the Member;  
(iii) partial suspension of the Member for a period up to a maximum of six months or the remainder of the Member's term of office, whichever is the shorter period;  
(iv) suspension of the Member for a period up to a maximum of six months or the remainder of the Member's term of office, whichever is the shorter period.

Suspension and partial suspension only relate to the Member in his capacity as a member of the authority to which the complaint related.

Any sanction imposed will begin after 21 days of the Standards Committee's written notice of decision to the Member unless the Standards Committee direct (for any sanction other than censure) that it will commence on any date specified by the Standards Committee within six months of the date of the hearing.

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as to whether to impose a sanction and (where a sanction is to be imposed) the nature of that sanction, and when it must take effect, together with the principal reasons for those decisions, and any recommendations which the Standards Committee will make to the Council.

### **10.9 Closing the hearing**

- (a) The Standards Committee will announce its decision on the day of the hearing and provide the Committee Support Officer with a short written statement of their decision, which explains the Standards Committee's rationale for its decision and the sanction imposed..;
- (b) The Chair will thank all those present who have contributed to the conduct of the hearing and formally close the hearing.

### **10.10 After the hearing**

- (a) The Legal Advisor will send an email to the Member confirming the decision of the Standards Committee, that they will receive a written formal decision notice explaining the reasons for the decision and the sanction, that the period of appeal to the Adjudication Panel for Wales commences from the date they receive the decision notice and that any period of suspension will take effect on the day after the appeal period expires (if no appeal is lodged).
- (b) The Legal Advisor will prepare a written decision notice and send it to the Chair for agreement and signing. This will be the final form of the decision and will be included in the report published by the Committee after the process has concluded.
- (c) The decision notice will be sent to the Member by means which will confirm that the Member has received the written decision notice of the Standards Committee;
- (d) The Committee Support Officer will arrange for the decision notice to be distributed and published (or a summary of that notice, where necessary).

## **11. Appealing**

The Member may request the permission of the President of the Adjudication Panel for Wales to appeal against the decision of the Standards Committee by writing to the President. The decision of the President or a deputy appointed to make the decision on the President's behalf, will be made without the parties, unless the President or their deputy is of the opinion that there is a special case which merits a hearing. The letter must set out the grounds for such an appeal, and include a statement as to whether or not the Member consents to the appeal being heard by way of written representations. The letter must be received by the President within 21 days of the date of the written notice of decision from the Standards Committee being received by the Member. The President or their deputy may request further information. Any request for information must be responded to within the stated timetable.

Details of case and reference number .....

## FORM A

### **Subject Member's response to the evidence set out in the investigation report**

Please enter the number of any paragraph in the investigation report where you disagree with the findings of fact and give your reasons and your suggested alternative. Use as many forms as you require.

<b>Paragraph number from the investigation report</b>	<b>Reasons for disagreeing with the findings of fact provided in that paragraph</b>	<b>Suggestion as to how the paragraph should read</b>

Details of case and reference number .....

# FORM B

## **Other evidence relevant to the complaint**

Please set out below any evidence you feel is relevant to the complaint made about you. Use as many forms as you require.

Paragraph number	Details of the evidence



Details of case and reference number .....

## FORM C

### **Representations to be taken into account if a Member is found to have failed to follow the Code of Conduct**

Only complete this form if you agree with the findings in the investigation report that you failed to comply with the Code of Conduct

Please set out below any factors that the Standards Committee should take into account if it finds that you failed to follow the Code of Conduct. Please note that no such finding has been made yet. Use as many forms as you require.

Paragraph number	Factors for the Standards Committee to take into account when deciding whether to censure, suspend, or partially suspend

Details of case and reference number .....

# FORM D

## Arrangements for the Standards Committee hearing

Please tick the relevant boxes.

<b>1</b>	<p>Are you planning to attend the Standards Committee hearing on the proposed date in the accompanying letter?</p> <p>If 'No', please explain why.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Reason:
<b>2</b>	<p>Are you going to present your own case?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	
<b>3</b>	<p>If you are not presenting your own case, will a representative present it for you?</p> <p>If 'Yes', please state the name of your representative.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Name:
<b>4</b>	<p>Is your representative a practising Solicitor or Barrister?</p> <p>If 'Yes', please give their legal qualifications. Then go to Question 6.</p> <p>If 'No' please go to Question 5.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Qualifications:
<b>5</b>	<p>Does your representative have any connection with your case?</p> <p>If 'Yes', please give details.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Details:

<b>6</b>	<p>Are you going to call any witnesses?</p> <p>If 'Yes', please fill in Form E.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	
<b>7</b>	<p>Do you, your representative or your witnesses have any access difficulties or any other needs? (e.g. is wheelchair access needed?)</p> <p>If 'Yes', please give details.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Details:
<b>8</b>	<p>Do you, your representative or witnesses need an interpreter?</p> <p>If 'Yes' please give details</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Details:
<b>9</b>	<p>Do you want any part of the hearing to be held in private?</p> <p>If 'Yes', please give reasons.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Reasons:
<b>10</b>	<p>Do you want any part of the relevant documents to be withheld from public inspection?</p> <p>If 'Yes', please give reasons.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	Reasons:

Details of case and reference number .....

# FORM E

## Details of witnesses you propose to call:

You will need to complete a separate Form E for each witness. Use as many forms as you require.

<b>Name of Witness:</b>			
<b>Witness number:</b>			
<b>a</b>	<p>Will the witness give evidence about the allegation?</p> <p>If 'Yes', please provide an outline of the evidence the witness will give.</p>	<p><b>Yes</b> <input type="checkbox"/></p> <p><b>No</b> <input type="checkbox"/></p>	<b>Outline of evidence:</b>
<b>b</b>	<p>Will the witness give evidence about what action the standards committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If 'Yes', please provide an outline of the evidence the witness will give.</p>	<p><b>Yes</b> <input type="checkbox"/></p> <p><b>No</b> <input type="checkbox"/></p>	<b>Outline of evidence:</b>