

## **SOUTH RIBBLE BOROUGH COUNCIL STANDARDS COMMITTEE**

### **PRE-HEARING PROCEDURE**

1. Where a Standards Committee or Sub-Committee has made a finding that a matter should be considered at a Hearing, the following procedure shall apply.
2. The Monitoring Officer shall ask the Subject Member for a written response within fifteen days, which response shall set out the Subject Member's reply to the Investigating Officer's report and shall state whether he/she
  - disagrees with any of the findings of fact in the report, giving the reasons for any disagreement
  - wishes to be represented by a solicitor or barrister, or with the consent of the Standards Committee by any other person
  - wishes to give evidence to the Hearing, either orally or in writing
  - wishes to call relevant witnesses to give evidence to the Hearing
  - wishes any part of the Hearing to be held in private
  - wishes any part of the Investigating Officer's report or other relevant documents to be withheld from the public
3. The Subject Member shall be informed that if, at the meeting of the Standards Committee, he/she seeks to dispute any matter contained in the Investigating Officer's report without having previously notified the intention to do so, the Standards Committee may refuse to allow the disputed matters to be raised unless satisfied that there are good reasons why it has not been raised beforehand.
4. Upon receipt of the Subject Member's response, the Monitoring Officer shall forward the response to the Investigating Officer. The Investigating Officer should be invited to comment on it within ten working days, and to say whether or not he/she
  - wishes to call relevant witnesses to give evidence or submit written or other evidence to the Standards Committee
  - wishes any part of the Hearing to be held in private
  - wishes any part of the report or other relevant documents to be withheld from the public
5. Upon receipt of the Investigating Officer's response, the Chairman of the Standards Committee and the Monitoring Officer should consider the responses of both the Subject Member and the Investigating Officer and set a date for the Hearing.
6. A special meeting of the Standards Committee shall be convened for the Hearing.
7. The Subject Member and the Investigating Officer are entitled to request that any witnesses they want should be called. However, the Chairman of the Hearing (in consultation with the Monitoring Officer) may limit the number of witnesses to be called, if he/she believes the number requested is unreasonable and that some witnesses may simply be repeating the evidence of earlier witnesses, or it appears that their evidence will not assist the Standards Committee to reach its decision.

8. Nothing in this procedure shall limit the Chairman of the Hearing from requesting the attendance of any additional witnesses whose evidence he/she considers would assist the Standards Committee to reach its decision.
9. The Monitoring Officer, in consultation with the Chairman, shall:
  - confirm a date, time and place for the Hearing, which must be within three months from the date on which the Investigating Officer's report was completed and not less than fourteen days after the report was sent to the Subject Member
  - confirm the main facts of the case that are agreed
  - confirm the main facts that are not agreed
  - provide copies of any written evidence to the relevant parties
  - confirm which witnesses will be called by the parties
  - provide the parties with copies of the proposed procedure for the Hearing, specifying which parts of the matter, if any, are likely to be considered in private