

## PROCEDURE FOR LOCAL INVESTIGATION

### Comments on the content of the Procedure

Page 51, 3(d) Should the initial list of persons to be interviewed be supplied to the Councillor?

Page 52, 3(f)(iii) This is a curious provision. The persons interviewed may not return the note. Is the authority of the written note then reduced?

Page 52, 3(g) I feel that payment of costs should be limited to actual costs incurred, reasonable charges and professional fees.

Page 53 3(h), lines 4-5 on page. A somewhat undignified to-and-fro.

Page 53 4(a)(x), lines 2-3 "any decision which **may have been affected** by the breach of the Code of Conduct or local protocol or **for remedying** the position of any person ...

Page 55 5(f)(iii) Does this mean that the Monitoring Officer may conduct Pre-Hearing enquiries of other persons?

### Comments on drafting

#### General comments

There is inconsistency in the use of "will" and "shall" in providing for the actions of the Investigating Officer. I suggest that "will" be used throughout

There is inconsistency in referring to "the Councillor" and "the member". Since "Councillor" is defined in 1(a), and so should be used throughout.

The correct spelling is "adviser" rather than "advisor", which is mainly a USA usage.

All cross references to other numbered paragraphs should be checked. It is probable that renumbering has caused some to become incorrect.

Page 47, footnote 1. The wording should include breaches by members of Parish Councils.

Page 48, 1(a) Same comment as above.

Page 49, 2(d) It should be "Clerk to the Parish Council" as correctly appears elsewhere.

Page 50, 2(f)(ii), line 3 Delete "of".

Page 50, 2(f)(iv) Rewrite as "Notifying the Investigating Officer of any information....". If the Councillor provides the information it would not need to be sought.

Page 50, 2(g) Same comments as for 2(f) above.

Page 51, 3(c)(iii), line 3 "Parish Council **concerned**"

Page 52, 3(f)(ii) Any person who appears before the Investigating Officer **may arrange** to be accompanied...

Page 52 3(h), line 2 Delete "for Members"

Page 53 4(a)(vii), last word "co-operate"

Page 54 5(a), line 2 "**may** reconsider.... and **will** produce and send ..."

Page 54 5(c) The Monitoring Officer will ensure that, when the agenda for the Standards Committee **including the final report**, is sent to members of the Standards Committee, the agenda ..." Should this be sent also to the Councillor?

Page 54 5(d), line 2 Delete (ii)

Page 55 5(f), line 1 It should be 5(b)(ii).