

## PROCEDURE FOR HEARINGS

### Comments on the contents of the Procedure

Page 57 1(b), last line Should it not be "(which may be the Monitoring officer, or his or her nominated representative)"

Page 57, footnote 2 "except in so far as the member requires it to be conducted at a meeting of the Standard Committee" - does this provision appear elsewhere in the procedure?

Page 60, footnote 6, line 5 "If the Standards Committee is responsible for Parish Council matters". This is not understood.

Page 60, footnote 6, line 7 "Parish Sub-Committees, convened to deal with a parish matter, must have a parish representative of the Sub-Committee" These Sub-Committees are not otherwise mentioned. What is a parish representative of the Sub-Committee?

Page 63 9(e)(i) It is difficult to understand this. I think it means "The Standards Committee must not refuse to hear evidence from the Investigating Officer, the Councillor or a witness if they are satisfied that ..."

Page 63 9(e)(ii) Is this not cross-examination - which was specifically excluded?

### Comments on drafting

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 61 8(e), line 2 "**the** matter"

Page 62 9(c)(ii) Better to say "the Standard Committee shall **not** conduct a hearing **unless** they are satisfied..."

Page 62 9(c)(iii), line 4 "the Standards Committee **should** seek the advice ..."

Page 62 The footnotes should be part of the main text.

Page 63 9(g), line 1 "at any **stage**"

Page 63 9(h)(ii), line 2 it should be "9(b)(i)"

Page 64 9(h)(iv), line 3 "seek legal advice" Delete "the"

Page 64 9(h)(v), line 2 "to make **any** recommendations"

Page 64 10(a), line 2 "**that** a Councillor has failed"

Page 64 10(a), line 3 "other than **in** the matter..."

Page 65 footnote (iv) Something is wrong with the wording.