

### **Standards committee**

**Date:** Tuesday, 20 January 2026

**Time:** 11:00

**Venue:** Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

#### **Committee members:**

##### **Councillors:**

Driver (Chair)  
Galvin (Vice-Chair)  
Catt  
Jones  
Lubbock  
Sands (M)

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#### **Co-opted members:**

Mr P Franzen

[www.norwich.gov.uk](http://www.norwich.gov.uk)

#### **Independent persons (ex officio)**

### **Information for members of the public**

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## Agenda

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| <b>1</b>  | <b>Apologies</b>   |                |
|           | To receive apologies for absence   |                |
| <b>2</b>  | <b>Declarations of interest</b>  |                |
|           | (Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)   |                |
| <b>3</b>  | <b>Member Code of Conduct</b>  | <b>3 - 12</b>  |
| <b>4</b>  | <b>Complaints, Investigation and Hearing Procedure</b>   | <b>13 - 20</b> |
| <b>5</b>  | <b>Exclusion of the public</b>   |                |
|           | Consideration of exclusion of the public.  |                |
| <b>*6</b> | <b>Hearing: Code of Conduct Complaint</b>  |                |
|           | <ul style="list-style-type: none"><li>• This report is not for publication because it would disclose information relating to any individual as in para 1 of Schedule 12A to the Local Government Act 1972.</li><li>• This report is not for publication because it would disclose information which is likely to reveal the identity of an individual as in para 2 of Schedule 12A to the Local Government Act 1972.</li></ul> |                |

Date of publication: **Monday, 29 September 2025**

**Introduction**

The Local Government Association (LGA) developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA, and accordingly Norwich City Council will undertake an annual review of this Code to ensure it continues to be fit for purpose, incorporating advances in technology, social media and changes in legislation. The LGA, and Norwich City Council can also offer support, training and mediation to councils and councillors on the application of the Code.

**Definitions**

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who:

- (a) is a member of any committee or sub-committee of the authority, or;
- (b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

**Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

## **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles. Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor. This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct.

## **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

## **General Conduct**

### **1. Respect**

#### **As a councillor:**

- 1.1 I treat other councillors and members of the public with respect.**
- 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack. In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's protocol.

### **2. Bullying, harassment and discrimination**

#### **As a councillor:**

- 2.1 I do not bully any person.**
- 2.2 I do not harass any person.**

### **2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

## **3. Impartiality of officers of the council**

**As a councillor:**

### **3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

## **4. Confidentiality and access to information**

**As a councillor:**

### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**

- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of**
  - iv. obtaining professional legal advice provided that the third**
  - v. party agrees not to disclose the information to any other**
  - vi. person; or**
  - vii. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

**4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

**4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **5. Disrepute**

**As a councillor:**

**5.1 I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute. You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

## **6. Use of position**

**As a councillor:**

- 6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## **7. Use of local authority resources and facilities**

**As a councillor:**

- 7.1 I do not misuse council resources.**
- 7.2 I will, when using the resources of the local authority or authorising their use by others:**
- a. act in accordance with the local authority's requirements; and**
  - b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## **8. Complying with the Code of Conduct**

**As a Councillor:**

- 8.1 I undertake Code of Conduct training provided by my local authority.**
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.**

- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

## **Protecting your reputation and the reputation of the local authority**

### **9. Interests**

#### **As a councillor:**

##### **9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable.

You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

### **10. Gifts and hospitality**

#### **As a councillor:**

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from**

**persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

**10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**

**10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.



### Introduction

The Localism Act 2011 requires local authorities to establish arrangements to deal with allegations of breaches by councillors of the Member Code of Conduct, which forms part of Norwich City Council's constitution.

This procedure is to be adopted when dealing with complaints against elected members and voting co-opted members when they are acting in that capacity. The procedure applies when a complaint is received that a Norwich City Council member or a voting co-opted member has, or may have, failed to comply with the Member Code of Conduct at the time of the alleged breach.

### Complaints Procedure

In this procedure, the person making a complaint is referred to as 'the complainant' and the person against whom a complaint is made is referred to as 'the subject member'.

A complaint is confidential and remains so until the complaint is resolved.

A complainant may request that a complaint be withdrawn at any stage and all such requests will be determined by the Monitoring Officer, which may include consultation with a Designated Independent Person<sup>1</sup>.

Complaints can be made about a subject member breaking any part of the Member Code of Conduct when they are acting (or giving the impression they are acting) as a representative of the council or undertaking council business. This includes:

- Failing to treat others with respect
- Bullying
- Intimidating a complainant or witness
- Compromising the impartiality of officers
- Bringing the council/office as councillor or executive member into disrepute
- Disclosing information given in confidence/confidential information unless:
  - They have consent; or
  - They are required to do so by law; or
  - Disclosure is to obtain professional advice; or

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<sup>1</sup> A Designated Independent Person is someone who is independent of the council or any political group and who has experience of dealing with ethical issues. They are appointed for the Monitoring Officer or councillors to consult with on complaints.

- Disclosure is reasonable, in the public interest, in good faith and in compliance with reasonable requirements of the council
- Using their position improperly to obtain advantage or disadvantage for anyone
- Using council resources for political purposes
- Preventing anyone accessing information they have a legal right to
- Failing to register financial or other interests
- Failing to disclose a pecuniary interest at a meeting
- Failing to register any gifts or hospitality worth over £25 received in their role as a councillor

If none of the above applies, it will probably not qualify as a valid complaint.

### **Making a complaint**

A complaint should be made in writing by filling in a [complaint form](#) within 10 working days of the alleged breach of the Member Code of Conduct. Any documents that support a complaint should accompany the form.

A complaint will normally be acknowledged within 10 working days of receipt and the complainant advised if the complaint will be passed for initial assessment by the Monitoring Officer or rejected.

### **Complaints may be rejected:**

- where a member is not named
- where the complainant is not named<sup>2</sup>
- if they relate to a person who is no longer a member or which refer to alleged incidents before the person became a member
- that are not in writing
- that relate to a person who is not an elected or a voting co-opted member of Norwich City Council
- that relate to incidents or actions that are not covered by the Member Code of Conduct

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<sup>2</sup> Complaints that contain a request for the complainant's identity to be withheld may be accepted, although the complainant's identity will only be withheld in exceptional circumstances. If the Monitoring Officer does not consider it appropriate to withhold the complainant's identity, the complainant will be given the opportunity to withdraw their complaint before it proceeds to the next stage. Anonymous complaints that reveal potential fraud or corruption will be referred to Internal Audit for consideration under the council's Whistleblowing Policy.

- where they are about the actions (or inactions) of Norwich City Council as a whole (these complaints should be dealt with through the council's [complaints procedure](#))
- where they relate to a member's personal or private life
- contain insufficient information
- where they are about people employed by the council
- if they refer to alleged incidents which happened so long ago that there would be little benefit in taking action now
- if they contain trivial allegations, or which appear to be malicious, politically motivated or tit-for-tat
- where they relate to alleged behaviour that has already been the subject of an investigation or some form of action

Where the Monitoring Officer decides to reject a complaint, they will write to the complainant explaining why the complaint cannot be dealt with under this procedure. In these circumstances, there will be no right of appeal.

### **Informal resolution**

If the complaint is accepted, the Monitoring Officer will write to the complainant and explain that the matter is to be dealt with under this procedure. The subject member will be sent a copy of the complaint and will also be sent contact details of a Designated Independent Person. In this correspondence, the Monitoring Officer will:

- (a) Seek confirmation from the complainant as to what form of informal resolution they would find acceptable and
- (b) Provide the subject member with a reasonable timescale (usually 20 working days) within which to attempt to informally resolve the complaint

### **Types of informal resolution might include:**

- (a) An explanation by the subject member of the circumstances surrounding the complaint
- (b) An apology from the subject member
- (c) Agreement from the subject member to attend relevant training or to take part in a mentoring process
- (d) Offering to engage in a process of mediation or conciliation between the subject member and the complainant
- (e) Correcting an entry in a register
- (f) Any other action capable of resolving the complaint

Where the subject member has appropriately addressed the matters raised there will be no further action taken in respect of the complaint and the Monitoring Officer will notify both the complainant and the subject member of this decision.

If the complaint makes allegations that a criminal offence may have been committed, then the matter will not be dealt with under this procedure, but instead will be referred to the police.

### **Investigation Procedure**

Where it has not been possible to informally resolve matters, the complaint will be referred by the Monitoring Officer to an officer of the council, an officer of another authority, or such other expert as the Monitoring Officer considers appropriate for investigation ('the Investigating Officer'). The Monitoring Officer will notify both the complainant and the subject member of this decision.

When notifying the persons mentioned above, the Monitoring Officer will request that they respond within 10 working days:

- Listing any documents that they would wish to be taken into account in the investigation of the allegation, providing copies of these documents, and confirming where the original documents may be inspected.
- Providing the name, address and telephone number (or other appropriate contact details) of any person or organisation whom they would wish to be interviewed in the course of the investigation of the allegation.
- Providing any information that they would wish to be sought from any person or organisation in the course of the investigation of the allegation.

The Investigating Officer will take into account both the content of the original complaint and any information received from the persons notified above. They will make any further enquiries they consider necessary, following which they will determine whether or not there appears to have been any breach of the Member Code of Conduct.

Upon conclusion, the Investigating Officer will provide the Monitoring Officer with a report setting out their findings and whether or not, in their view, there have been any breaches of the Member Code of Conduct.

The investigation will normally be carried out and the report provided to the Monitoring Officer within 30 working days of the investigation being commissioned.

### **Outcome of investigation**

The Investigating Officer's report will set out:

- The details of the allegation
- The relevant provisions of statute, the Member Code of Conduct and any relevant local protocols

- The subject member's response to notification of the allegation (if any)
- The views of a Designated Independent Person
- The relevant information, advice and explanations obtained in the course of the investigation
- Any documents relevant to the matter
- A list of those persons they have interviewed and those organisations from whom they have sought information
- A note of any person or organisation who has failed to co-operate with the investigation and the manner in which they have failed to cooperate
- A statement of their draft findings of fact
- Their conclusions as to whether or not the subject member has failed to comply with the Member Code of Conduct

If the Investigating Officer's conclusion is that there has been no breach of the Member Code of Conduct, the complainant and the subject member will be notified. In these circumstances, there will be no right of appeal.

If the Investigating Officer's conclusion is that there has been a breach of the Member Code of Conduct, consideration will be given by the Monitoring Officer, in liaison with a Designated Independent Person (where appropriate), whether or not an informal resolution between the parties would be appropriate.

Where an informal resolution is considered appropriate, this will be discussed with the complainant and the subject member. Should an informal resolution be agreed, the complaint will not proceed any further.

Should either the complainant or the subject member not agree to the proposed informal resolution, or an informal resolution is not considered appropriate, the matter will be referred to the Standards Committee for hearing and final decision.

## **Hearing Procedure**

Where the matter is referred to the Standards Committee for decision, the complainant, the subject member, a Designated Independent Person and, where appropriate, the relevant political group leader will be advised of the position and consulted on the date of the committee hearing.

Democratic Services will arrange a convenient time and date for the committee to meet and determine the matter. It is anticipated that a hearing will be dealt with on a single day.

At least 20 working days before the hearing, the complainant, the subject member and a Designated Independent Person will be notified of the date, time and place of meeting, provided with the agenda for the meeting and a copy of the investigation report. They will be invited to attend and identify any witnesses already interviewed

that they wish to speak.

At the same time (and where appropriate), the relevant political group leader will be notified of the date, time and place of meeting, provided with the agenda for the meeting and a copy of the investigation report.

The documentation sent out must be treated by all recipients as confidential information until such time (if any) as the report is made available to the press and public or the committee resolves that the press and public should not be excluded from the meeting at which the allegations are heard.

The date of the meeting and the agenda will be published on the council's website.

Determination of the matter by the Standards Committee will normally be made within 65 working days of referral of the matter to the committee.

### **Standards Committee hearings**

The Standards Committee will determine whether or not it agrees with the Investigating Officer's conclusions, whether there has been a breach of the Member's Code of Conduct and, if so, what (if any) sanctions should be applied. In so doing, they may seek the views of a Designated Independent Person.

Where a witness has been interviewed and their information is included in the Investigating Officer's report, should they not attend, the committee will give such weight to their comments as it considers appropriate.

The Standards Committee's decision as to whether or not there have been any breaches of the Member Code of Conduct shall be final. This also applies to any sanctions imposed or recommended by the committee for any such breaches of the Code.

If at any point during the hearing process, the subject member resigns, loses their seat, is seriously ill or has died, the Standards Committee will only hear the matter if it considers it is in the public interest to do so.

### **Representation**

The subject member may be represented or accompanied during the hearing by another person provided the committee or its chair has given prior consent.

The subject member may make representations (orally or in writing) or present evidence in accordance with this procedure either personally or through their representative. The committee will not normally permit the subject member and their representative to both make representations, although the subject member may present evidence themselves whether or not represented.

### **Outline of the Procedure for the Hearing**

The Standards Committee may govern its own procedure as long as it acts fairly. It may request advice from the Monitoring Officer (or Deputy) at any time. However, in general the following procedure should be adopted:

- (a) Hearings should normally be held in private unless the committee has resolved not to exclude the press and public from all or any part of the hearing in accordance with the council's Access to Information Rules.
- (b) Any submissions by either party about the conduct of the case, including disputes about witnesses, potential new information, new supporting documents, etc, should be raised at the commencement of the hearing.
- (c) The committee will adopt (as far as reasonably practicable) an inquisitorial approach to the hearing rather than permit an adversarial or hostile approach to develop.
- (d) Witnesses are not to be present in the hearing until they have been called to give their evidence, after which they should leave the room.
- (e) If the subject member is not present, then the committee shall consider whether or not to proceed. If the committee is not satisfied that there is sufficient reason for the subject member's absence, it may either proceed to consider the matter and make a determination in the absence of the subject member or adjourn the hearing to another time or date. If the committee is satisfied there is sufficient reason, it shall adjourn the hearing to another date unless the subject member has indicated that the hearing should proceed in their absence.

### **Order of witnesses**

- (a) The Investigating Officer presents the evidence on which they rely and calls any witnesses;
- (b) The Investigating Officer makes submissions about whether the facts constitute a breach of the Member's Code of Conduct;
- (c) The Investigating Officer makes submissions as to the seriousness of the breach and the appropriate sanction(s) in the event that the committee decides that a breach has occurred;
- (d) The subject member and members of the committee may ask questions through the chair of the Investigating Officer and/or their witnesses;
- (e) The subject member may present evidence on which they rely and call any witnesses referred to in the Investigating Officer's report;
- (f) The subject member may make submissions about whether the facts constitute a breach of the Member Code of Conduct;
- (g) The subject member may make a statement in mitigation in regard to the seriousness of the breach and the appropriate sanction in the event that the committee decides that a breach has occurred;
- (h) The Investigating Officer and members of the committee may ask questions through the chair of the subject member and/or their witnesses;

- (i) The committee members retire to decide the facts and whether, on the balance of probabilities, there has been a breach of the Member Code of Conduct. At this point, the committee is likely to ask all present to leave the room whilst they consider the matter.
- (j) Once the committee members have concluded their findings as to whether the facts amount to a breach, all return to the room and the decision is read out.

## **Outcome**

If the Standards Committee decides there has been a breach of the Member Code of Conduct, then it can determine whether and, if so, which of the following sanctions should apply:

1. Publish findings in respect of the subject member's conduct;
2. Report findings to full Council for information;
3. Recommend to full Council that the subject member be issued with a formal censure or be reprimanded;
4. Recommend to the subject member's political group leader (or in the case of un-grouped members, recommend to full Council) that they be removed from any or all committees or sub-committees of the council;
5. Recommend to the Executive Leader that the subject member be removed from Cabinet, or removed from particular portfolio responsibilities;
6. Arrange or recommend training for the subject member;
7. Remove or recommend the removal of the subject member from all outside appointments to which they have been appointed or nominated by the council;
8. Withdraw or recommend withdrawal of facilities provided to the subject member by the council, such as a computer, website and/or email and internet access;
9. Exclude or recommend the exclusion of the subject member from their council's offices or other premises, with the exception of meeting rooms as necessary for attending council, committee and sub-committee meetings.

The Standards Committee has no power to suspend or disqualify a member or to withdraw a member's basic or special responsibility allowance.

The Standards Committee will issue a formal written decision together with supporting reasons as soon as practicable after the end of the hearing and in any event within 10 working days, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.