

Appendix C

'Paper' Hearing Procedure

Where the Investigating Officer finds that the Code has been broken, the Monitoring Officer may (after consultation with the Independent Person) decide that the matter should be dealt with before the Hearing Panel.

The matter may be dealt with by way of a **'paper' hearing** where:

- local resolution is not appropriate or possible, and
- the Councillor accepts the findings of the Investigating Officer's Report and does not wish to make any further representations (save for written representations on possible sanctions) on the Report at a formal Hearing
- there are no overriding public interest or other reasons why the matter should be referred to a formal Hearing.

The Procedure will be as follows.

The pre-hearing process will identify where a Councillor accepts the Investigating Officer's Report and findings of a breach and does not wish to make any representations on the Report at a formal Hearing.

The Monitoring Officer will:

- advise the Councillor of potential sanctions
- ask the Councillor for any written representations as to potential sanctions
- consult the Independent Person on the Councillor's representations on sanctions
- Send to the Hearing Panel:
 - confirmation that the Councillor accepts in full the Investigating Officer's findings of a breach and does not wish to raise any representations at a formal hearing
 - the Investigating Officer's Final Report
 - the Councillor's written representations on sanctions

- Independent Person's response on the Councillor's representations on sanctions
- invite the Hearing Panel to:
 - accept the Investigating Officer's findings of breach and the reasoning set out in the Final Report
 - decide on what sanctions (if any) are appropriate

The Hearing Panel will not meet as a formal meeting and therefore the access to public meetings rules will not apply.

Where appropriate, the provisions set out in **Appendix A – Hearing Procedure** will apply.