

**PROPOSED PRE-HEARING PROCEDURE**

1. The Monitoring Officer ("the MO") will send a copy of the Ethical Standards Officer ("the ESO")'s report to the Member who is the subject of the report ("the Member") as soon as practicable after the MO has received the report.
2. At the same time as the MO sends the Member the report, or as soon as practicable after sending the report to the Member, the MO will write to the Member to propose a date for the hearing and will outline the Member's rights. The MO will send a copy of the procedure to be followed at the hearing and will ask the Member to respond within a set time informing the MO whether or not the Member:
  - (1) disagrees with any of the findings of fact in the ESO's report, giving the reasons for any disagreement;
  - (2) wants to be represented at the hearing by a solicitor, barrister or any other person and if the Member does want to be represented the name of the representative;
  - (3) wants to give evidence to the Local Adjudication Panel, either verbally or in writing;
  - (4) wants to call any witness(es) at the hearing, and if so to inform the MO of the name(s) of the proposed witness(es);
  - (5) wants any part of the hearing to be held in private, and if so to state the reasons for this;
  - (6) wants any part of the ESO's report or any other relevant documents to be withheld from the public; and
  - (7) can attend the hearing.
3. The Member will be asked to provide the MO with a copy of any documents which the Member intends to rely on at the hearing no less than 12 working days before the date of the hearing.
4. The MO will be informed of the date of the hearing and invited to attend if (s)he wishes to.
5. The MO will invite the ESO, within a set time, to inform the MO whether or not (s)he:
  - (1) wants to be present at the hearing;
  - (2) wants to be represented at the hearing and, if so, the name of the representative;

- (3) wants to call any witness(es) to give evidence at the hearing and, if so, the name(s) of the witness(es);
  - (4) wants any part of the hearing to be held in private and, if so, reasons for this;
  - (5) wants any part of the ESO's report or any other relevant document to be withheld from the public.
- 6. The ESO will be asked to submit any additional documentation apart from the ESO's report that the ESO intends to rely on at the hearing to the MO no less than 12 working days before the date of the hearing.
- 7. When the MO has received a response from the Member and the ESO, the MO will write to everyone involved in the hearing no less than 10 working days before the date of the hearing to:
  - (1) confirm the date, time and place for the hearing;
  - (2) summarise the allegation;
  - (3) outline the main facts of the case that are agreed;
  - (4) outline the main facts of the case which are not agreed;
  - (5) note whether the Member and/or the ESO will be present at or represented at the hearing;
  - (6) list the names of any witness(es) whom the MO knows will be called to give evidence at the hearing;
  - (7) provide all concerned with a copy of the procedure which will be followed at the hearing.