

## **STANDARDS SUB-COMMITTEE (APPEAL)**

### **APPEAL PROCEDURE**

- (1) The aim of this procedure is to ensure that any appeal heard by a Standards Sub-Committee (Appeal) against the decision of a Standards Sub-Committee (Hearing) is dealt with fairly and efficiently. The meeting is not a re-hearing and its business is confined to the grounds of the appeal.
- (2) Any appeal request must be received in writing by the Monitoring Officer within 21 days of the written decision notice being issued by the Standards Sub-Committee (Hearing). An appeal can only be made on the grounds that:
  - (i) the procedure has been wrongly applied;
  - (ii) new evidence has come to light since the hearing; or
  - (iii) there has been a misdirection in law.
- (3) The appeal will be restricted to the consideration of papers with no representation permitted other than in writing. The Monitoring Officer will submit any response to the appeal in writing.
- (4) The Standards Sub-Committee (Appeal) will be made up of Members who have not previously been involved in the consideration of the complaint. The view of an Independent Person who has not previously been consulted will also be taken.
- (5) The Standards Sub-Committee (Appeal) may:
  - (i) set aside the original decision if it considers it to be unreasonable and substitute its own decision; or
  - (ii) confirm the original decision.
- (6) All appeals will be held in public. There will be no participation by any of the parties involved or by any member of the public. However, the Chairman will have the discretion to allow the Monitoring Officer, or anyone so appointed by the Monitoring Officer, to present the report and any other papers for consideration and to join the Sub-Committee during deliberation.
- (7) The Standards Sub-Committee (Appeal) will retire to deliberate in private.
- (8) Any decision made by the Standards Sub-Committee (Appeal) will be in writing and will be sent to all relevant persons within 5 working days of the decision being made.
- (9) All decisions of the Standards Sub-Committee (Appeal) are binding and there is no further right of appeal.