

## **APPENDIX F**

Extract from Powys County Council Constitution April 2016

### **REFERRAL BY AN APPEALS TRIBUNAL**

18.4.14.1 Where the Standards Committee determines that the Member has failed to comply with the Code of Conduct, the Member may appeal against the determination to an appeals tribunal drawn from the Adjudication Panel for Wales.

18.4.14.2 An appeals tribunal may endorse the decision of the Standards Committee, refer a matter back to it recommending it impose a different penalty, or overturn the decision.

18.4.14.3 If:

- (a) the Standards Committee determines that the Member failed to comply with the Code of Conduct;
- (b) the Member appeals to an appeals tribunal drawn from the Adjudication Panel for Wales; and
- (c) the said tribunal refers the matter back to the Standards Committee with a recommendation that a different penalty be imposed,

the Standards Committee shall meet as soon as reasonably practicable to consider the recommendation of the appeals tribunal and will determine whether or not it should uphold its original determination or accept the recommendation.

- (d) After making its determination the Standards Committee will instruct the Standards Officer to confirm the decision and the reasons for the decision in writing and to send a copy of the written decision to the Member, the Complainant, the Ombudsman and the president of the Adjudication Panel for Wales as soon as reasonably practicable.