



## **Arrangements for dealing with Member Code of Conduct Complaints**

### Introduction

- 1.1 This procedure applies when a complaint is received that a Member, Co-opted Member or Parish Councillor has, or may have, failed to comply with the Code of Conduct applicable to them.
- 1.2 The person making the complaint will be referred to as the “Complainant” and the person against whom the complaint is made will be referred to as the “Subject Member”.
- 1.3 No Member or Officer will participate in any stage of the arrangements if they have, or may have, any personal conflict of interest in the matter.
- 1.4 No publicity is given to the process where a Code of Conduct complaint is under consideration unless and until the Assessment Sub-Committee and the Hearings Sub-Committee resolve otherwise. Correspondence between the Monitoring Officer, the Complainant and the Subject Member is confidential.

### Making a Complaint

- 1.5 A complaint must be made in writing by post or email, using the standard complaint form, to:  
  
Clerk to the Standards Committee,  
Committee and Member Services,  
Swindon Borough Council, Wat Tyler West 2<sup>nd</sup> Floor,  
Beckhampton Street, Swindon, SN1 2JG  
Email: [committeeservices@swindon.gov.uk](mailto:committeeservices@swindon.gov.uk)
- 1.6 The standard complaint form can be obtained from the Clerk, or can be downloaded on the Council’s website. Complaints will not be accepted unless they have been made using the standard complaint form in order to ensure that all required information has been submitted.
- 1.7 The Monitoring Officer will not normally investigate anonymous complaints unless, in the Monitoring Officer’s opinion, there is additional, independent documentary evidence to substantiate the complaint and it is sufficiently serious to consider.

- 1.8 Where a single event gives rise to similar complaints from a number of different Complainants, wherever possible those complaints will be considered at the same time but will be determined individually.

#### Confidentiality

- 1.9 The Monitoring Officer will not withhold the identity of the Complainant from the Subject Member or the details of the complaint unless, in the Monitoring Officer's opinion, there are exceptional circumstances and they are satisfied that the Complainant has reasonable grounds for believing that there may be a risk of: threats, intimidation or physical harm; interference with evidence and witnesses; their employment being jeopardised if their identity is disclosed, or; where there are medical risks (supported by medical evidence) associated with the Complainant's identity being disclosed.
- 1.10 A Complainant who has requested that their identity or the details of their complaint be withheld will, in the event that the Monitoring Officer decides not to do so, be given the opportunity to withdraw their complaint.
- 1.11 In exceptional circumstances – where the matter complained about is very serious – the Monitoring Officer may proceed with the complaints process and may have no choice but to disclose personal and complaint details because of the allegation(s) made, even if the Complainant has asked for confidentiality.

#### Validity of the Complaint

- 1.12 Upon receipt of a complaint, the Monitoring Officer will:
- Confirm that the complaint form has been correctly completed.
  - Review whether the complaint is against one or more named Members or co-opted Members of the Council or a Town / Parish Council within the Borough.
  - Review whether the Subject Member was in office at the time of the alleged conduct and the Code of Conduct applicable was therefore in force at the time.
  - Review whether the complaint concerns alleged conduct or behaviour by the Subject Member which did not take place whilst the Member was acting in their capacity as a member of the Council.
- 1.13 The Monitoring Officer will consider the sufficiency of the information provided on the complaint form and any evidence provided of the allegation(s). The onus is on the Complainant to ensure all relevant information has been included.
- 1.14 Where, in the opinion of the Monitoring Officer, the complaint is not valid as it has failed one or more of the tests in paragraph 1.12, it will be rejected and the Complainant advised accordingly.
- 1.15 Where, in the opinion of the Monitoring Officer, the complaint is not yet valid but that the Complainant should be given the opportunity to clarify their

complaint or provide supporting evidence, the Complainant shall be asked to do so within a timescale determined by the Monitoring Officer.

#### Circulation of the complaint

- 1.16 Once determined valid, the Clerk will acknowledge receipt of the complaint form and, at the same time, write to the Subject Member. In the interest of fairness, the Subject Member will be made aware of the name of the Complainant and will be given a full copy of the valid complaint form (with the Complainant's contact details redacted) subject to any representations from the Complainant on confidentiality which are accepted by the Monitoring Officer (paragraph 1.9 refers).
- 1.17 The Subject Member may, within ten working days of receipt of details of the complaint, make a written submission to the Monitoring Officer in response to the complaint, which will be taken in to consideration by the Monitoring Officer as part of their initial assessment of the complaint.
- 1.18 The Subject Member may also seek the views of an Independent Person appointed by the Council.

#### Initial assessment of the complaint

- 1.19 The Monitoring Officer shall, in consultation with an Independent Person, make an initial assessment of the complaint that a Subject Member has, or may have, breached the Code of Conduct applicable to them, together with any response submitted by the Subject Member.
- 1.20 The Monitoring Officer will review the complaint in line with the following criteria:

Test	Considerations
Length of time:	Did the events or behaviour to which the complaint relates take place more than 6 months ago?  Does the time lapse involved mean that those involved are unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time means there would be little benefit or point in taking action now? Such allegations are only likely to be considered in exceptional circumstances, such as where the conduct relates to a pattern of behaviour which has recently been repeated.
Duplication:	Is the complaint substantially similar / allegation has previously been made by the Complainant to the Standards Committee, or the complaint has been the subject of an investigation by another regulatory authority?

Test	Considerations
Seriousness of the complaint:	<p>Is the complaint trivial, vexatious, malicious, politically motivated or 'tit for tat'?</p> <p>Are the resources / cost involved in investigating and determining the complaint wholly disproportionate to the allegations?</p> <p>Would the complaint, if proven, be a breach of the Code of Conduct under which the Subject Member was operating at the time of the alleged misconduct?</p> <p>Does the matter appear to be capable of informal resolution?</p>

- 1.21 Where the Monitoring Officer (in consultation with an Independent Person) believes that the complaint, when considered against the criteria set out above, does not sufficiently merit further action the complaint shall be rejected.
- 1.22 Where the Monitoring Officer (in consultation with an Independent Person) believes that, when considered against the criteria set out above, the complaint merits further action, or where any informal resolution proposed under paragraph 1.23 has been rejected by either the Complainant or the Subject Member, the complaint will move to the next stage in the process and be assessed by an Assessment Sub-Committee (paragraph 1.27 onwards refers).
- 1.23 Where the Monitoring Officer (in consultation with an Independent Person) considers that the matter appears capable of informal resolution, they shall liaise with the Complainant and the Subject Member in order to effect an informal resolution within a timescale determined by the Monitoring Officer.

#### Informal resolution

- 1.24 Where any informal resolution agreed by all parties has not taken place within the determined timescale, the Monitoring Officer (in consultation with an Independent Person) will review the complaint again against the criteria set out in paragraph 1.20.
- 1.25 Where the Monitoring Officer (in consultation with an Independent Person) believes that the complaint does not sufficiently merit further action, the complaint process will end at this stage.
- 1.26 Where the Monitoring Officer (in consultation with an Independent Person) considers that the complaint merits further action, the complaint will move to the next stage in the process and be assessed by an Assessment Sub-Committee.

### Assessment Sub-Committee

- 1.27 The Assessment Sub-Committee is a Sub-Committee of the Council's Standards Committee, and membership is drawn from that Committee. This will normally include up to 4 elected members (one of whom will be the Chair or Vice-Chair of the Standards Committee where possible) and at least 1 of the Lay Members co-opted to the Standards Committee. Where the complaint is about a Parish Member, the Panel will normally include at least 1 of the Parish Members co-opted to the Standards Committee.
- 1.28 The Assessment Sub-Committee will normally be chaired by the Chair of the Standards Committee, unless that person has a perceived conflict with regards to the Complaint(s) to be considered. If so, the Vice-Chair of the Standards Committee will take the role (unless that person also has a perceived conflict with regards to the Complaint(s) to be considered). In that case, the Chair will be appointed at the start of the meeting from within the membership of the Sub-Committee.
- 1.29 The co-opted members will sit as assessors without a vote, and an Independent Person will also be present for the Sub-Committee to consult.
- 1.30 Meetings of the Assessment Sub-Committee shall be held in public unless it resolves, and gives reasons, that it should be in private.
- 1.31 Neither the Complainant nor the Subject Member shall be invited to address the Assessment Sub-Committee.
- 1.32 The Assessment Sub-Committee will review the complaint, and will consider the Monitoring Officers initial assessment of it and the view of the Independent Person, and will need to satisfy itself (using Annex A as a guide) that;
- The complaint is about the conduct of a current Member of the Council who was acting in that capacity at the time of the conduct complained of.
  - That the matters set out in the complaint are serious enough to warrant further action, and are also not vexatious or historic.
  - That the facts, if proved, appear to be a potential breach of the Code of Conduct applicable to the Member.
  - That the public interest or any public benefit would be served in moving the complaint to the next stage in the process. For example, it may be not in the public interest where the member has died, resigned or is seriously ill, the member has offered an apology or other remedial action, or it is clear that the subject of the allegation is relatively inexperienced as a Member, or has admitted making an error, and the matter would not warrant further action.
- 1.33 Where the Assessment Sub-Committee has not satisfied itself as to the matters above, it can determine that the complaint process ends at this point and no further action will be taken in respect of the matter.

- 1.34 Where the Assessment Sub-Committee has satisfied itself as to the matters above, it can request the Monitoring Officer to arrange an Investigation.

Investigation of the complaint

- 1.35 The Monitoring Officer will recommend that the investigation should be carried out either by themselves, by another suitably qualified and senior officer of the Council who is unconnected to the events, by a suitably qualified and senior officer of another Authority, or by an external investigator. It is for the Assessment Sub-Committee to decide the appointment.
- 1.36 The purpose of the investigation shall be to establish the facts surrounding the allegations and to review any evidence relating to the complaint. The Investigating Officer will be invited to give an opinion on whether the Member was acting in their capacity as an elected Member at the time of the relevant events and whether there has been a potential breach of the Code of Conduct.
- 1.37 The Investigating Officer will follow any guidance issued by the Assessment Sub-Committee on the investigation of the complaint and shall agree a timetable for the investigation with the Monitoring Officer.
- 1.38 The Investigating Officer shall consider the complaint and any response from the Subject Member, and may also consider any other documents that the Monitoring Officer agrees is relevant. The Investigating Officer may interview the Complainant and the Subject Member and any other witness that the Monitoring Officer considers is relevant.
- 1.39 At the end of the investigation, the Investigating Officer will produce a draft report and will send copies of that draft report to the Complainant and to the Subject Member for comments, which should normally be submitted within 5 working days of receipt of the draft report. The Investigating Officer will take such comments into account, before issuing the final report to the Monitoring Officer.
- 1.40 Where the Investigating Officer has concluded either that the Subject Member was not acting in their capacity as an elected member at the time of the relevant events, or that the conduct complained of did not amount to a potential breach of the Code of Conduct, the Monitoring Officer shall refer the matter back to the Assessment Sub-Committee to decide, in consultation with an Independent Person, whether those conclusions are accepted and/or whether further action should be taken. If the Assessment Sub-Committee determines to accept those conclusions, the complaint process will end at this point and no further action will be taken in respect of the matter.
- 1.41 Where the Investigating Officer has concluded that the Subject Member was acting in their capacity as an elected member at the time of the relevant events, and that the conduct complained of did amount to a potential breach of the Code of Conduct, or where the Assessment Sub-Committee has determined that further action should be taken (as per paragraph 1.40) the Monitoring Officer will refer the matter to the Hearings Sub-Committee.

### Hearings Sub-Committee

- 1.42 Meetings of the Hearings Sub-Committee shall be held in public unless it resolves, and gives reasons, that it should be in private.
- 1.43 At least fourteen days' notice of the Hearings Sub-Committee shall be given to the Complainant and the Subject Member. Whilst efforts shall be made to arrange the meeting at a time / date acceptable to all parties, no more than three attempts shall be made to arrange it. If the Complainant or the Subject Member fails (or refuses) to attend the meeting on a date which the Chair of the Hearings Sub-Committee and the Monitoring Officer believe is reasonable, the meeting shall proceed in that party's absence.
- 1.44 The Hearings Sub-Committee will decide whether the Subject Member has failed to comply with the Code of Conduct applicable to them and, if so, whether to take any action in respect of the Subject Member.
- 1.45 Where a Complainant wishes to withdraw a complaint at any time before a decision has been made by the Hearings Sub-Committee the Monitoring Officer may, in consultation with an Independent Person, decide that no further steps shall be taken in respect of that complaint. In taking such a decision the Monitoring Officer will take into account whether there has been any intimidation or attempt to intimidate any person who is likely to be:
- A Complainant, or
  - A witness, or
  - Involved in the administration of any investigation or proceedings
- in relation to the allegation that the Subject Member has failed to comply with the relevant Code of Conduct.

### Pre-Hearing Procedure

- 1.46 Prior to the convening of a Hearings Sub-Committee the Monitoring Officer will issue the forms annexed to these Arrangements (Annex B) to the Complainant and Subject Member for completion by them in preparation for the Hearing.
- 1.47 The Monitoring Officer will prepare a summary of the main elements of the case that will be heard using the checklist for the pre-Hearing process summary annexed to these Arrangements (Annex C). This will be made available to all parties in advance of the meeting for their consideration.

### Constitution of the Hearings Sub-Committee

- 1.48 The Hearings Sub-Committee is a Sub-Committee of the Council's Standards Committee, and membership is drawn from that Committee. This will normally include up to 4 elected members (one of whom will be the Chair or Vice-Chair of the Standards Committee where possible) and at least 1 of the Lay Members co-opted to the Standards Committee. Where the complaint is about a Parish

Member, the Panel will normally include at least 1 of the Parish Members co-opted to the Standards Committee.

- 1.49 The Hearings Sub-Committee will normally be chaired by the Chair of the Standards Committee, unless that person has a perceived bias with regards to the complaint to be considered. If so, the Vice-Chair of the Standards Committee will take the role (unless that person also has a perceived bias with regards to the complaint to be considered). In that case, the Chair will be appointed at the start of the meeting from within the membership of the Sub-Committee.
- 1.50 The co-opted members will sit as assessors without a vote. An Independent Person will be required to attend meetings of the Hearings Sub-Committee, and their views must be sought and taken into consideration before the Hearings Sub-Committee takes any decision on whether the Subject Member conduct constitutes a failure to comply with the Code of Conduct, and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

#### The Hearing

- 1.51 The Hearing will be conducted in accordance with the 'Practical Arrangements for a Hearings Sub-Committee of the Standards Committee' annexed to these Arrangements (Annex D).

#### Right to Representation

- 1.52 At the discretion of the Chair, the Complainant and the Subject Member may be represented or accompanied during the hearing by a solicitor or barrister. The Complainant and Subject Member should meet their own costs of such representation.
- 1.53 Both the Complainant and the Subject Member are entitled to be accompanied and/or represented by another individual but that individual may be excluded by the Chair if they are satisfied that the individual is disrupting the hearing or preventing its orderly progress.

#### Post Hearing Procedure

- 1.54 Within 5 working days of the Hearing the Monitoring Officer shall confirm in writing to both the Subject Member and the Complainant the outcome of the Hearing, including the recommended sanction(s) (if any), and a precis of the reasons.
- 1.55 The sanction(s) to be applied (if any) shall be implemented after the expiration of 14 days from the date of the Monitoring Officer's letter.

#### Publication and Sanctions

- 1.56 Where the Hearings Sub-Committee finds that a Borough Council member or co-opted member has failed to comply with the Code of Conduct, the



Monitoring Officer will arrange for its findings in respect of the Subject Member's conduct to be published.

- 1.57 In the case of a Parish Council member, the Monitoring Officer will report the Hearings Sub-Committee's findings to the relevant Parish Council for information, and recommend to that Council that the findings should be published.

#### Criminal Conduct

- 1.58 If the complaint identifies criminal conduct or breach of other regulations by any person, the Monitoring Officer is authorised to report this to the Police or other prosecuting or regulatory authorities.

#### Revision of these arrangements

- 1.59 The Monitoring Officer may, in consultation with the Chair of the Standards Committee, revise these Arrangements as they consider appropriate in individual cases to enable the process to be dealt with efficiently. Any such revisions shall be reported to the next meeting of the Standards Committee.
- 1.60 The Monitoring Officer may nominate a deputy to undertake their role in some or all parts of this procedure.

#### Appeals

- 1.61 There is no right of appeal available against the assessment of the Monitoring Officer or of the findings and decisions of the Assessment Sub-Committee or the Hearings Sub-Committee on a Code of Conduct Complaint, except through the Courts by way of legal challenge.

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## Assessment Sub-Committee – decision-making

No.	Test	Consideration(s)	Response
1	Validity	Is the complaint about the conduct of a current Member acting in that capacity?	If yes, go to Q2.  If no, complaint process ends here.
2	Duplication	Is the complaint substantially similar / allegation has previously been made by the Complainant to the Standards Committee, or the complaint has been the subject of an investigation by another regulatory authority?	If yes, complaint process ends here.  If no, go to Q3.
3	Length of time	Did the events or behaviour to which the complaint relates take place more than 6 months ago?  Does the time lapse involved mean that those involved are unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time means there would be little benefit or point in taking action now?	If yes, complaint process ends here.  If no, go to Q4.
4	Seriousness of the complaint	Is the complaint trivial, vexatious, malicious, politically motivated or 'tit for tat'?	If yes, complaint process ends here.  If no, go to Q5.
5	Potential for breach of Code of Conduct	Would the complaint, if proven, be a potential breach of the Code of Conduct under which the Subject Member was	If yes, go to Q6.  If no, complaint process ends here.

No.	Test	Consideration(s)	Response
		operating at the time of the alleged misconduct?	
6	Public interest / benefit (part 1)	Would the public interest, or any public benefit, be served in moving the complaint to the next stage in the process?	If yes, go to Q7.  If no, complaint process ends here.
7	Public interest / benefit (part 2)	Are the resources / cost involved in investigating and determining the complaint wholly disproportionate to the allegations?	If yes, complaint process ends here.  If no, instruct the Monitoring to begin an investigation of the complaint.

**FORM A      Response of Complainant / Subject Member to the evidence set out in the Investigating Officer's Report**

Please state below where you disagree with the finding of fact in the Investigating Officer's report, and give your reasons and your suggested alternative.

Paragraph number	Reasons for disagreeing with the findings of fact provided in the report	Suggestion as to how the report should read
1		
2		
3		
4		
5		
6		

Please attach separate sheets if necessary

**FORM B      Details of proposed witnesses to be called**

Please tick the relevant boxes and complete where required.
Name of witness or witnesses:
1.
2.
<b>Witness 1</b>
<p>Will the witness give evidence about the allegation?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p> <p>Yes / No</p> <p>Outline of evidence:</p>
<p>Will the witness give evidence about what action the Hearings Sub-Committee should take if it finds that there has been a breach of the Code?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p> <p>Yes / No</p> <p>Outline of evidence:</p>
<b>Witness 2</b>
<p>Will the witness give evidence about the allegation?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p> <p>Yes / No</p> <p>Outline of evidence:</p>
<p>Will the witness give evidence about what action the Hearings Sub-Committee should take if it finds that there has been a breach of the Code?</p> <p>If 'Yes' please provide an outline of the evidence the witness will give.</p> <p>Yes / No</p> <p>Outline of evidence:</p>

Please attach separate sheets if necessary

**Checklist for the pre-hearing process summary**

The Monitoring Officer will prepare a summary of the main aspects of the case that will be heard.

The pre-hearing process summary should include:

- The name of the Authority.
- The name of the Subject Member.
- The name of the Complainant (unless there are good reasons to keep their identity confidential).
- The case reference number of the Council.
- The name of the Standards Committee member who will chair the Hearings Sub-Committee.
- The name of the Monitoring Officer.
- The name of the Investigating Officer.
- The name of the Clerk, or other administrative officer.
- The date, time and place of the meeting.
- A summary of the allegation(s).
- The relevant section or sections of the Code of Conduct.
- The findings of fact in the Investigating Officer's report.
- Whether or not the Complainant, Subject Member or the Investigating Officer will attend or be represented.
- The names of any witnesses who will be asked to give evidence.
- An outline of the proposed procedure for the meeting.

## Practical Arrangements for a Hearings Sub-Committee of the Standards Committee

### Interpretation

Term	Explanation
“Complainant”	means the person who is making the allegation(s) being considered by a Hearings Sub-Committee of the Standards Committee, unless stated otherwise. It also includes this persons’ nominated representative.
“Subject Member”	means the person who is the subject of the allegation(s) being considered by a Hearings Sub-Committee of the Standards Committee, unless stated otherwise. It also includes this persons’ nominated representative.
“Investigator”	means the Investigating Officer, and includes their nominated representative.

### Procedure

1. The Chair shall be responsible for the conduct of the Hearing, including whether there should be any departure from this procedure, and for ensuring that the Hearing is inquisitorial, rather than adversarial, in nature. The Chair will introduce all those present and explain how the Hearings Sub-Committee will proceed.
2. The Investigator will be invited to outline the relevant findings of fact in their report, and may call witnesses in support of this.
3. The Complainant, Subject Member and members of the Sub-Committee will have the opportunity to ask questions of the Investigator and any witnesses they have called.
4. The Complainant will present their case and call such witnesses as they wish to support their version of the facts.
5. The Subject Member and members of the Sub-Committee will have the opportunity to ask questions of the Complainant and any witnesses they have called.
6. The Subject Member will present their case and call such witnesses as they wish to support their version of the facts.
7. The Complainant and members of the Sub-Committee will have the opportunity to ask questions of the Subject Member and any witnesses they have called.

8. The Independent Person shall be invited to comment on the matter, including any observations they have on evidence which has been discussed at the Hearing. The Subject Member and Complainant may put questions to the Independent Person, at the discretion of the Chair.
9. The members of the Sub-Committee will then retire to consider the representations and evidence in private, and to determine:
  - a. Whether the relevant Code of Conduct has been breached.
  - b. If yes, what sanction should be applied to the Subject Member. The list of considerations for the Sub-Committee on applying sanctions is set out in the next section below.
10. The Monitoring Officer and Clerk will be present during this discussion but shall take no part other than to provide advice as needed.
11. Upon the Hearings Sub-Committee's return, the Chair will announce its findings and the sanction(s) to be applied, if any. Reasons for both the findings and the sanction(s) will be given.

### **Considerations for the Sub-Committee when deciding to apply sanctions**

When deciding on whether to apply a penalty or sanction, the Hearings Sub-Committee should ensure that it is reasonable and proportionate to the Subject Member's behaviour. Before deciding what penalty or sanction would be appropriate, the Hearings Sub-Committee should consider the following questions, along with any other relevant circumstances:

- What was the Subject Member's intention? Did they know that they were failing to follow the Code?
- Did the Subject Member get advice from officers before the incident? Was that advice acted on or ignored in good faith?
- Has there been a breach of trust?
- Has there been financial impropriety, for example improper expense claims or procedural irregularities?
- What was the result of failing to follow the Code?
- What were the potential results of the failure to follow the Code?
- How serious was the incident?
- Does the Subject Member accept they were at fault?
- Did the Subject Member apologise to the relevant people?
- Has the Subject Member previously been warned or reprimanded for similar misconduct?
- Has the Subject Member failed to follow the Code before?
- Is the Subject Member likely to do the same thing again?
- How will the sanction or penalty be carried out? For example, who will provide the training or mediation?
- Are there any resource or funding implications?



The Sub-Committee may find the following examples of mitigating or aggravating factors to be useful in assessing an appropriate sanction in relation to a breach of the Code of Conduct:

*Examples, but not an exhaustive list of mitigating factors, are:*

- An honestly held, although mistaken, view that the action concerned did not constitute a failure to follow the provisions of the Code of Conduct, particularly where such a view has been formed after taking appropriate advice.
- A member's previous record of good service.
- Substantiated evidence that the member's actions have been affected by ill-health.
- Recognition that there has been a failure to follow the Code; co-operation in rectifying the effects of that failure; an apology to affected persons where that is appropriate, self-reporting of the breach by the member.
- Compliance with the Code since the events giving rise to the determination.
- Some actions, which may have involved a breach of the Code, may nevertheless have had some beneficial affect for the public.

*Examples, but again not an exhaustive list, of aggravating factors are:*

- Dishonesty.
- Continuing to deny the facts despite clear contrary evidence.
- Seeking unfairly to blame other people.
- Failing to heed appropriate advice or warnings or previous findings of a failure to follow the provisions of the Code.
- Persisting with a pattern of behaviour which involves repeatedly failing to abide by the provisions of the Code.

The Hearings Sub-Committee may wish to consider imposing any one or a combination of the following sanctions:

- censure the Subject Member;
- request the Subject Member to submit a written apology in a form specified by the Hearings Sub-Committee;
- request the Subject Member to undertake such training as the Hearings Sub-Committee may specify;
- request that the Subject Member participates in such conciliation as the Hearings Sub-Committee may specify;
- advise the Leader of the Council and / or Leader of the Political Group to which the person belongs, of the outcome of the hearing in order that they can consider what appropriate disciplinary or other action should be taken, taking into account any relevant case law, which could include:
  - Formal letter of censure from them;

- Formal censure of members e.g. through a motion at Council or Committee of the Council;
  - Securing the removal of a member from Cabinet / Committees;
  - Issuing a press release setting out the outcome of the hearing;
  - The withdrawal of facilities.
- such other sanction as may be permitted under the law.