

CODE OF CONDUCT FOR MEMBERS

1. Action in response to a finding of breach of a Code of Conduct

When a breach of a Code of Conduct has occurred, the Localism Act 2011 does not give the Council any powers to impose sanctions on Members, such as suspension or requirements for training or an apology. The range of actions which the Council can take is therefore limited.

Actions might include the following:-

- Censure;
 - Reporting the findings to full Council or to the Town/Parish Council for information;
 - Recommending to the member's Group Leader (or in the case of un-grouped members, recommending to Council or to a Committee) that the Member be removed from any or all Committees or Sub-Committees of the Council;
 - Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
 - Instructing the Monitoring Officer to, or recommending that the Town/Parish Council arrange training for the member;
 - Removing, or recommending to the Town/Parish Council that the member be removed from all outside appointments to which the member has been appointed or nominated by the authority or by the Town/Parish Council;
 - Withdrawing or recommending to the Town/Parish Council that it withdraws facilities provided to the member by the Council, such as a computer, website and/or email and internet access; or
 - Excluding or recommending that the Town/Parish Council excludes the member from the Council's offices or other premises, with the exception of meeting rooms necessary for attending Council, Cabinet, Committee and Sub-Committee meetings.
2. This list of actions is not intended to be prescriptive, or exhaustive.
 3. Where the breach of a code of conduct is by a Town or Parish Councillor, the decision on what, if any, action should be taken against the Councillor will be one for the Councillor's own Town or Parish Council to take. In such circumstances, the Borough Council can only make a recommendation to the Town or Parish Council concerned.
 4. There is no internal appeal procedure against a decision by officers or members as to whether or not there has been a breach of a code of conduct, and if so, what if any action should be taken in relation to any breach. Any appeal can only be by way of judicial review to the High Court.