

Sanctions available to the Standards Committee

Extract from 2008 Regulations – Findings of standards committees

19. – (1) Following a hearing held under regulation 18, a standards committee shall make one of the following findings –
- (a) that the member who was the subject of the hearing had not failed to comply with the code of conduct of any authority concerned;
 - (b) that the member who was the subject of the hearing had failed to comply with the code of conduct of an authority concerned but that no action needs to be taken in respect of the matters which were considered at the hearing; or
 - (c) that the member who was the subject of the hearing had failed to comply with the code of conduct of an authority concerned and that a sanction under paragraph (2) or (3) should be imposed.
- (2) If a standards committee makes a finding under paragraph (1)(c) in respect of a person who is no longer a member of any authority in respect of which it exercises any function under Part 3 of the Act, it shall censure that person.
- (3) If a standards committee makes a finding under paragraph (1)(c) in respect of a person who is a member of an authority in respect of which it exercises any functions under Part 3 of the Act, it shall impose any one of, or any combination of, the following sanctions—
- (a) censure of that member;
 - (b) restriction for a period not exceeding six months of that member's access to the premises of the authority or that member's use of the resources of the authority, provided that those restrictions—
 - (i) are reasonable and proportionate to the nature of the breach; and
 - (ii) do not unduly restrict the person's ability to perform the functions of a member

- (c) partial suspension (a) of that member for a period not exceeding six months;
 - (d) suspension of that member for a period not exceeding six months;
 - (e) that the member submits a written apology in a form specified by the standards committee;
 - (f) that the member undertakes such training as the standards committee specifies;
 - (g) that the member participates in such conciliation as the standards committee specifies;
 - (h) partial suspension of the member for a period not exceeding six months or until such time as the member submits a written apology in a form specified by the standards committee;
 - (i) partial suspension of the member for a period not exceeding six months or until such time as the member has undertaken such training or has participated in such conciliation as the standards committee specifies;
 - (j) suspension of the member for a period not exceeding six months or until such time as the member has submitted a written apology in a form specified by the standards committee;
 - (k) suspension of the member for a period not exceeding six months or until such time as that member has undertaken such training or has participated in such conciliation as the standards committee specifies.
- (4) Subject to paragraph (5) and regulation 21, any sanction imposed under this regulation shall commence immediately following its imposition by the standards committee.
- (5) A standards committee may direct that the sanction imposed under any of sub-paragraphs (b) to (k) of paragraph (3) or, where a combination of such sanctions is imposed, such one or more of them as the committee specifies, shall commence on such date, within a period of six months after the imposition of that sanction, as the committee specifies.

(a) see section 83(7) of the Local Government Act 2000 for a definition of partial suspension

Sanctions available to Adjudication Panel for England

Pursuant to section 79(4) of the Local Government Act 2000, as amended, a person found to have breached the Code of Conduct for Members may be:

- (a) suspended or partially suspended from being a member or co-opted member of the relevant authority concerned for a period of up to one year or, if shorter, the remainder of the person's term of office; or
- (b) disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority for a period of up to five years.