

## **SANCTIONS**

### **Factors to be considered**

- Seriousness of breach
- Actual and possible consequences of the breach
- Likelihood of repetition
- Any need to discourage or prevent repetition by Member or others
- Need to maintain confidence in the process and the Council's standards of ethical behaviour in eyes of public, partners, fellow Members and employees
- Member's knowledge of Code at time of incident (alleged/likely)
- Genuine respect for Code and need to maintain high ethical standards
- Motivation
- Written advice sought by, given to and followed by subject member
- Any need to impress on the respondent the severity of the matter and the need to avoid repetition
- Any breach of trust or any financial impropriety
- Contrition shown
- Importance of upholding and improving standard of conduct expected of Members to improve public confidence in local democracy and trust in Members
- Must be reasonable and proportionate
- Depends on individual facts but decisions must be reasonably consistent
- Relevant APE cases and SFE guidance in Case Reviews or Bulletins

### **Mitigating Circumstances**

- Genuine mistake
- Sincere and timely apology
- Previous good record and subsequent compliance
- Actions affected by ill health
- Rectification
- Beneficial affect for public
- Self reporting

### **Aggravating Circumstances**

- Previous breaches or warnings
- Continuing denial in face of evidence
- Dishonesty
- Unfair blaming others
- Ignoring advice
- Persisting with pattern of behaviour involving breaches