Pennington Parish Council

Non-Compliance with the Code of Conduct

Revised and re-adopted at the full council meeting V4/2026

1 INTRODUCTION

Pennington Parish Council is required by law to adopt a Code of Conduct that applies to the conduct of members of the Council while acting in their official capacity. If it is alleged that a member of the Council has breached the Code of Conduct, it is the responsibility of Westmorland and Furness Council to investigate the allegation, to decide whether a breach has, in fact, occurred and to recommend a sanction to be imposed on the Councillor who has been found to be in breach of the Code of Conduct.

When a complaint against a Councillor of Pennington Parish Council has been referred to the Monitoring Officer, their investigation finds that the Councillor has failed to comply with the Code of Conduct, they will report their findings to Pennington Parish Council, along with a recommendation for an appropriate sanction.

While Pennington Parish Council has no power to determine whether or not a breach has occurred, it can decide whether or not to apply the recommended sanction. However, Pennington Parish Council has no power to impose any sanction other than one recommended by the Monitoring Officer.

This document sets out what Pennington Parish Council will do on receipt of a report from the Monitoring Officer of a breach by a member of the Council of our adopted Code of Conduct.

2 PROCEDURE

2.1 Receipt of a Complaint

1. Upon receiving a report from the Monitoring Officer that a Councillor has failed to comply with the Code of Conduct, the Clerk will make provision for the matter to be included on the agenda for the next available full Council meeting.
2. All Councillors will be provided with details of the complaint, including the name of the Councillor who has not complied with the Code of Conduct, along with the recommendation for an appropriate sanction from the Monitoring Officer.

2.2 Complaint Hearing

1. At the appropriate point during the parish meeting the chairman will outline the nature of the complaint.
2. The complaint will be heard in the public session of the meeting. However, if the matter is deemed to be too sensitive, the complaint will be heard in private in accordance with the Public Bodies (Admission to meetings) Act 1960.
3. The Councillor who is in breach of the Code will be offered an opportunity to respond to the complaint.
4. Once the complaint has been considered, the council will decide whether to apply the Monitoring Officer's recommended sanction.
5. Should the council resolve not to apply the recommendation, an alternative sanction will not be imposed.
6. The decision will be made public at the conclusion of the meeting.

2.3 Action Following Consideration of the Complaint

1. Councillors in breach of the Code of Conduct must adhere to the sanction imposed once it has been considered and approved by the Council.
2. Councillors who fail to adhere to an imposed sanction will be reported to the Monitoring Officer.
3. The resolution of the Council will be recorded in the minutes of the meeting.