

Annex 5

No action will be taken where any of the following apply:

- (a) the Sub-Committee considers that there is no prima facie evidence that the Code has been breached;

- (b) taking into account the nature of the allegation, the Sub-Committee considers that using public funds to examine the matter further would be disproportionate;

- (c) the Sub-Committee considers that the complaint appears to be vexatious, politically motivated, tit-for-tat or made by a persistent complainant;

- (d) the conduct complained about has already been the subject of investigation or enquiry by another public body;

- (e) the same, or substantially the same, issue has been the subject of a previous Code of Conduct allegation, and the Sub-Committee considers that there is nothing further to be gained;

- (f) the Sub-Committee considers that there is not enough information to take the matter further;

- (g) the complaint was made anonymously;

- (h) the complainant has requested that their identity as complainant be withheld from the member, and the Sub-Committee considers that the matter cannot reasonably be taken further in these circumstances;

(i) the member has already apologised for the action that was the subject of the complaint, and the Sub-Committee considers that this is sufficient to dispose of the complaint;

(j) the Sub-Committee considers that the complaint is essentially against the action of the Council or a committee as a whole and cannot properly be directed against an individual member(s).