

## **Code of Conduct – Public Interest Test**

When applying the public interest test, the Monitoring Officer shall consider each of the following public interest factors set out below, and shall seek the views of an Independent Person as appropriate, in considering whether to investigate a complaint, and how that investigation should proceed.

These factors are not exhaustive, and not all may be relevant in every case.

The weight to be attached to each of these factors, and the factors identified, will also vary according to the facts and merits of each case.

- The seriousness of the breach.
- Whether the member is alleged to have deliberately sought personal gain for themselves or another person at the public expense.
- Whether the allegations is that a member has misused a position of trust or authority and caused harm to a person.
- Whether the alleged breach was motivated by any form of discrimination against the victim's ethnic or national origin, gender, disability, age, religion or belief, sexual orientation or gender identity.
- Where there is evidence of previous similar behaviour on the part of the member.
- If the breach is such that it may damage public confidence in elected members or the council.
- The resources that would be required to undertake an investigation compared to the seriousness of the breach and the likely sanction even if the member was found to have breached the code.
- Any admission of guilt, apology or other action already taken by the member to resolve or mitigate the issue caused.
- Whether the complaint appears to be malicious, vexatious, politically motivated or trivial retaliation.