

**ANGUS COUNCIL**

**SCRUTINY AND AUDIT COMMITTEE – 19 APRIL 2016**

**COMPLAINTS RAISED WITH THE COMMISSIONER FOR ETHICAL STANDARDS  
IN PUBLIC LIFE - 1 APRIL 2015 TO 31 MARCH 2016**

**REPORT BY SHEONA C HUNTER, HEAD OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT**

This report advises of complaints made against Angus Councillors to the Commissioner for Ethical Standards in Public Life (the Standards Commission) during the period 1 April 2015 to 31 March 2016.

**1. RECOMMENDATIONS**

It is recommended that the Committee:

- (i) notes the findings of this Report; and
- (ii) requests the Head of Legal and Democratic Services update members on the outcome of the ongoing complaint decisions in this Report at a later date.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Appropriate and effective complaints investigation in the council contributes to the delivery of all outcomes within the Community Plan, SOA and Council Plan.

**3. BACKGROUND**

The Ethical Standards in Public Life Etc. (Scotland) Act 2000 provides for a framework to encourage and, where necessary enforce, high ethical standards in public life. The Act established the Standards Commission for Scotland and placed a duty on local authorities to adopt the Councillors' Code of Conduct. It also provided a framework for breaches of that Code to be investigated and adjudicated upon by the Standards Commission.

The Code sets out nine principles namely, duty; selflessness; integrity; objectivity; accountability and stewardship; openness; honesty; leadership and respect.

This Report provides details of complaints made against Councillors during the period 1 April 2015 to 31 March 2016. The purpose behind this Report is to advise members of the type of complaints made against Councillors and the outcomes.

**4. CURRENT POSITION**

During the period 1 April 2015 to 31 March 2016 Angus Councillors were referred to the Standards Commission for investigation on six separate occasions. One Councillor was found to be in breach of the Code of Conduct by failing to declare a financial interest of a close relative and was suspended from the Council, Committees and Sub-Committees for a period of two months. No action was taken in respect of two complaints and three complaints are still under investigation. A brief summary of the complaints is attached as **Appendix 1**.

All complaints are dealt with on a confidential basis and only the complainer and the member complained of receive full details of the investigation.

## **5. FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this Report.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Complaints Received by the Commissioner for Ethical Standards in Public Life in Scotland

**COMPLAINTS RECEIVED BY THE COMMISSIONER FOR ETHICAL STANDARDS  
IN PUBLIC LIFE IN SCOTLAND – 1 APRIL 2015 TO 31 MARCH 2016**

Complaints received by the Commissioner for Ethical Standards in Public Life in Scotland between 1 April 2015 and 31 March 2016. The information below details the date of notice, the complainant, a brief summary of the complaint and the outcome.

<b>Date of Notice</b>	<b>Complainant</b>	<b>Complaint/Outcome</b>	<b>Date of Decision</b>
30-06-15	Councillor	Failure to declare a financial interest at committee.  Councillor suspended for a period of two months from formal meetings of the Council, Committees and Sub-Committees.	18-03-16 <b>CLOSED</b>
23-07-15	Self referred	Alleged breach of the Code.  No evidence of breach.	23-07-15 <b>CLOSED</b>
19-10-15	Member of Public	Failure to leave committee meeting after declaring an interest.  No breach of the Code.	08-04-16 <b>CLOSED</b>
12-02-16	Member of Public	Decision at Committee alleging it was made contrary to the requirements of Sections 3 and 7 of the Code.	Ongoing
03-03-16	Councillor	Failure to declare an interest at Committee.	Ongoing
21-03-16	Member of Public	Breach of Section 3 General Conduct; Conduct at Meetings.	Ongoing