

Agenda Item	9
Report No	AS/11/19

Highland Council

Committee: Audit & Scrutiny Committee

Date: 13 June 2019

Report Title: **COMMISSIONER FOR ETHICAL STANDARDS IN PUBLIC LIFE/STANDARDS COMMISSION: COUNCILLORS' CODE OF CONDUCT - INVESTIGATION INTO COMPLAINTS**

Report By: **Head of Corporate Governance**

1. Purpose/Executive Summary

1.1 This report provides information in relation to complaints dealt with by the Commissioner for Ethical Standards in Public Life/Standards Commission during the period 1st April 2018 to 31st March 2019 in relation to alleged breaches of the Councillors' Code of Conduct by Members of Highland Council and the outcome of the Commissioner's investigations into these complaints.

2. Recommendations

2.1 The Committee is asked to note that, in respect of the complaints against Highland Council Members, concluded during 2018/19, the Commissioner has found there to have no breaches of the Code of Conduct.

3. Introduction

- 3.1 The Committee is advised on a regular basis of complaints against Members of the Highland Council alleging breaches of the Councillors' Code of Conduct which have occurred since the inception of the Code in May 2003.
- 3.2 In circumstances where the Commissioner concludes that there has been a breach of the Code, this is reported to the Standards Commission for Scotland. The Standards Commission normally hold a public hearing to decide the matter and then publish their decision.
- 3.3 In cases where the Commissioner finds that there was no breach of the Code the Commissioner may decide to publish a decision summary. These are selected because of their potential interest for local authority Monitoring Officers and others who may be involved in making or dealing with complaints. www.publicstandardscommissioner.org.uk
- 3.4 This report deals with complaints concluded during the period 1st April 2018 to 31st March 2019.
- 3.5 In terms of the number of Councillors the Highland Council is one of the largest local authorities in Scotland. Historically the volume of complaints against Members of Highland Council has been low and in the year 2017/18 there were no complaints submitted in respect of Highland Councillors to the Commissioner.

4. Complaints to the Commissioner for Ethical Standards – 2018/19

- 4.1 This report deals with complaints concluded during the period 1st April 2018 to 31st March 2019.
- 4.2 During 2018/19, the Commissioner investigated a total of four complaints against Members of the Highland Council. Although the total number of complaints is four the complaints themselves are essentially made up of two sets of two complaints arising from the proceedings at two separate Council meetings.
- 4.3 In all instances the outcome of the investigation was that there had been no breach of the Code of Conduct. (See Appendix One).

5. Implications

- 5.1 There are no financial, legal, Gaelic, Community (Equality, Poverty and Rural) or Climate Change/Carbon Clever implications arising directly from this report.

Appendix One

Case Ref	Complaint Subject	Outcome	Outcome Date
LAH2132	Cllrs A and B	No breach	25 September 2018
LAH2171	Cllrs A, B and C	No breach	13 November 2018
LAH2195	Cllr D	No breach	28 January 2019
LAH2197	Cllr D	No breach	4 March 2019

Date: 03.06.2019

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