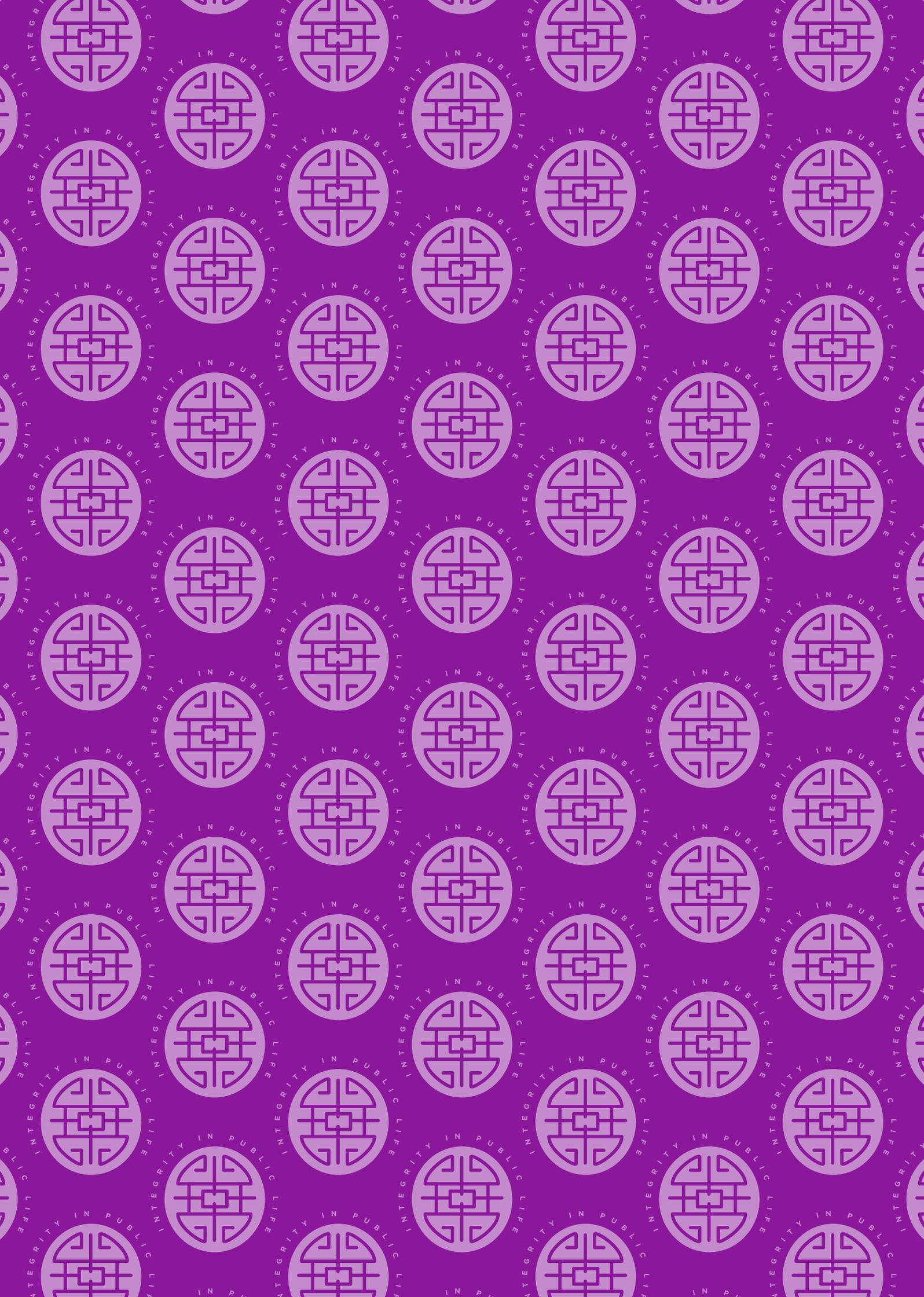


ANNUAL REPORT

2013/14



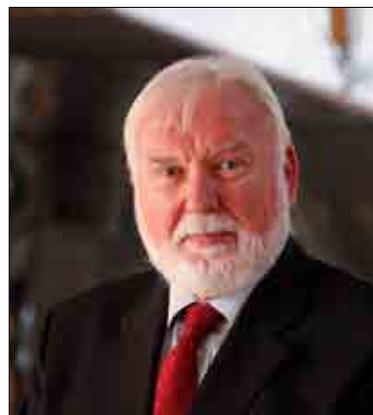
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EXECUTIVE SUMMARY

SECTION 1:

I am pleased to present the Annual Report of the Standards Commission for Scotland ('the Standards Commission'), which covers the period 01 April 2013 to 31 March 2014. This was the second year in delivering our Strategic Plan 2012-16, and I am delighted to say that we have made significant progress against our stated objectives.



It has been a busy year in relation to stakeholder engagement:

- An expansive programme of face to face meetings, presentations, training sessions and workshops has taken place;
- The launch of the new Model Code of Conduct for Devolved Public Bodies by the Scottish Government;
- Meeting with other regulatory/scrutiny bodies to identify potential areas for development and joint working;
- Assessing how we interact with stakeholders;
- Monitoring Officers and Standards Officers conferences, held at the end of the year, provided us with valuable feedback on the Commission's Guidance documents on the Codes of Conduct.

In May 2013 the Standards Commission welcomed its new Executive Director, Lindsey McNeill to the organisation.

The year has seen an increase in demand for our services both in terms of the number of Hearings conducted, and the number of requests for guidance. I feel this shows an increased awareness of the Ethical Standards Framework in relation to the standards of conduct which are expected from individuals who hold public office in Scotland and the willingness of those individuals to seek guidance on the Codes of Conduct to uphold that standard.

Looking Forward

Listening to the feedback we have received from our key audiences during the year, the Standards Commission will focus on a number of specific priorities during 2014/15. These are:

- Deliver revised Guidance on the Model Code of Conduct and update the guidance for the Councillors' Code of Conduct as required;
- Develop a more user-friendly and content-rich website;
- Work more effectively with the Commissioner for Ethical Standards in Public Life in Scotland ('the CES');
- Review our Hearing Rules to meet the developing needs of our stakeholders.

The forthcoming year promises to be both exciting and challenging as we meet the ever increasing demands on our resources. However, we will continue to address our stakeholders' requirements with professionalism, consistency and integrity.



Ian A. Gordon OBE, QPM, LL.B (Hons)
Convener

THE STANDARDS COMMISSION FOR SCOTLAND

SECTION 2:



*Back Row: Janie McNeil, Elaine McLean and Lindsey McNeill; (Staff)

*Middle Row: Lindsey Gallanders and Jan Polley; (Commission Members)

*Front Row: Matt Smith, Julie Ward (Commission Members) and Ian Gordon (Convener)

*(from left to right)

For the Register of Interests of Commission Members please see our website:
<http://www.standardscommissionscotland.org.uk/content/members-commission>

The Ethical Standards in Public Life etc. (Scotland) Act 2000 ('the Ethical Standards Act') identified the need for a robust and transparent ethical standards framework for those working in public life and set up the Standards Commission for Scotland to oversee this. The Codes prescribed within the Ethical Standards Act are based around nine key principles which underpin the standards expected of those in public life. The Members of the Standards Commission ('Commission Members') are required to demonstrate these principles themselves, and do so in the following manner:

1. DUTY - Holders of public office should uphold the law and act in accordance with the law and the public trust placed in them. They should act in the interests of the Council or Public Body.

- *Commission Members received bespoke judicial training to ensure they are fully prepared for their enforcement role in Hearings and legal advice is available when required. Commission Members are experienced in regulatory work and their varied backgrounds help them to deliver their statutory duty.*

2. SELFLESSNESS - Holders of public office have a duty to act solely in terms of the public interest. They must not act in order to gain financial or other material benefit for themselves, family or friends.

- *Satisfying public interest and seeking best value in its work are important considerations for the Standards Commission. Careful attention is given to cost effectiveness, particularly in relation to Hearings, where numbers can vary from year to year. On occasions, Members willingly work outside of their contracted hours to ensure the effectiveness of the Standards Commission.*

3. INTEGRITY - Holders of public office must not place themselves under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

- *Scrupulous care is given to how the Standards Commission approaches and carries out its role. Maintaining an online Register of Members' Interests, preserving the impartiality of Commission Members in dealing with Cases passed over by the CES, feedback from conferences and learning points from Hearings all feature in this scrutiny. The Standards Commission has consulted with Scottish Parliamentary Corporate Body ('SPCB') in relation to Members' other work activities and the subsequent agreement is contained in the Conditions of Appointment for Members.*

4. OBJECTIVITY - Holders of public office must make decisions solely on merit when carrying out public business.

- *The quasi-judicial process of Hearings, listening to and assessing evidence objectively and informed decision making on the 'balance of probabilities', consistently demonstrates the impartiality of Members. When the Respondent is not represented, the Hearing Panel will seek to ensure they are not disadvantaged in the process. Hearings are conducted in public and there have been no appeals that have challenged the objectivity of Members. Councils and Public Bodies listed under Schedule 3 of the Ethical Standards Act ('Public Bodies') regularly seek advice from the Standards Commission in relation to the obligations of their Councillors and Members under the Codes of Conduct.*

5. ACCOUNTABILITY AND STEWARDSHIP - Holders of public office are accountable for their decisions and actions to the public. They have a duty to consider issues on their merits, taking account of the views of others and must ensure that the Council or Body uses its resources prudently and in accordance with the law.

- *The Standards Commission has an Accounting and Audit Committee which scrutinises its financial and governance matters. By relocating into the Scottish Parliament the Standards Commission demonstrated its willingness to share services and it continues to seek similar opportunities. The Standards Commission actively seeks feedback on its work and role in Scottish public life as detailed elsewhere in this commentary. Each year an appraisal of Members takes place and the Convener meets with the SPCB to provide an account of the Standards Commission's work.*

6. OPENNESS - Holders of public office have a duty to be as open as possible about decisions and actions they take, giving reasons for their decisions and restricting information only when the wider public interest clearly demands.

- *The Standards Commission holds its Hearings in public and in the locality of the Council or Public Body the Councillor or Member complained about is based. The completed Report submitted by the CES is made available to the public and media from the date of the Hearing. The outcome of each Hearing is the subject of a press release and is posted on the Standards Commission website. Members regularly attend sessions with Councils and Public Bodies where they publicise the work of the Standards Commission and answer detailed questions. The minutes of Standards Commission meetings are published on the website.*

7. HONESTY - Holders of public office have a duty to act honestly. They must declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

- *Before each meeting of the Standards Commission and when beginning consideration of each case passed over by the CES, Commission Members are asked to state whether or not they have a conflict of interest in relation to any matter under consideration. If an interest is declared, where appropriate, the Commission Member will leave the room and take no part in the discussion or decision on the matter. The Register of Members' Interests is regularly updated.*

8. LEADERSHIP - Holders of public office have a duty to promote and support these principles by leadership and example, to maintain and strengthen the public's trust and confidence in the integrity of the council and its councillors or the public body and its members in conducting public business.

- *The Standards Commission actively pursues its leading role in public life to raise awareness of the ethical standards framework and to enforce the Codes of Conduct. It has developed networking opportunities with other regulatory/scrutiny bodies to share good practice and learn from the experiences of others. Commission Members understand and demonstrate their 'ambassadorial' role in conferences, roadshows with Councils and a range of other events.*

9. RESPECT - Holders of public office must respect all other holders of public office and employees of the Council or Public Body and the role they play, treating them with courtesy at all times.

- *In a strong Board, Members listen to the views of others, question rigorously and reach consensus in decisions. The Standards Commission is a relatively small organisation where Members recognise the demands on staff and are willing to help and advise. The Standards Commission has conducted one survey to assess the views of Councillors on the Code of Conduct and may conduct others as appropriate.*

SECTION 2:

Principles of Public Life

The revised Councillors' Code of Conduct and the Model Code of Conduct are based on the principles of public life set out by the Committee on Standards in Public Life.

Councillors

The Councillors' Code of Conduct applies to all the Councillors of every Council in Scotland.

Following a review of the original Councillors' Code of Conduct led by the Scottish Government, a revised Councillors' Code of Conduct was approved by the Scottish Parliament and introduced with effect from 21 December 2010. It is available online at:

[www.scotland.gov.uk Publications/2010/12/10145144/0](http://www.scotland.gov.uk/Publications/2010/12/10145144/0).

The Standards Commission provided guidance to Councils on the revised Code of Conduct and this was issued to Councillors and Councils during November 2011. The Standards Commission's Guidance on the Councillors' Code of Conduct is available online at:

www.standardscommissionscotland.org.uk/webfm_send/279.

Members of Devolved Public Bodies

Each Devolved Public Body covered by the framework is required to have its own Code based on the Model Code of Conduct approved by the Scottish Parliament. Individual Codes are approved by Scottish Ministers.

The Devolved Public Bodies covered by the framework are listed in schedule 3 to the Ethical Standards Act. Details of all those covered by the Codes of Conduct can be found on the Standards Commission's website at:

www.standardscommissionscotland.org.uk/content/which-bodies-have-codes.

Following a review of the original Model Code of Conduct led by the Scottish Government and a consultation exercise, a revised Model Code of Conduct was approved by the Scottish Parliament and introduced with effect from 03 February 2014. It is available online at: www.scotland.gov.uk/Publications/2014/02/4841

The Standards Commission also provides guidance to Devolved Public Bodies. The current guidance for Devolved Public Bodies (2007) is available online at: www.standardcommissionscotland.org.uk/webfm_send/241. Guidance for the revised Model Code will be published in due course.

Who We Are

The Standards Commission is an independent body corporate and in the exercising of its functions is not subject to the direction or control of any Members of the Scottish Parliament, and member of the Scottish Government or the Parliamentary corporation. Our purpose is to encourage high ethical standards in public life through the promotion and enforcement of Codes of Conduct for Councillors and those appointed to the Boards of Devolved Public Bodies.

The Standards Commission is led by a Convener who is one of five Commission Members, supported by a team of three office staff.

Why We Exist

The Standards Commission was established by legislation, The Ethical Standards in Public Life etc. (Scotland) Act 2000 ('the Ethical Standards Act').

This legislation provides a framework to encourage and, where necessary, enforce high ethical standards in public life. Councillors' and Members of Devolved Public Bodies are required to comply with Codes of Conduct, and complaints about alleged breaches of these Codes are investigated by the CES and adjudicated upon by the Standards Commission.

SECTION 2:

What We Do

We have two key strands of work:

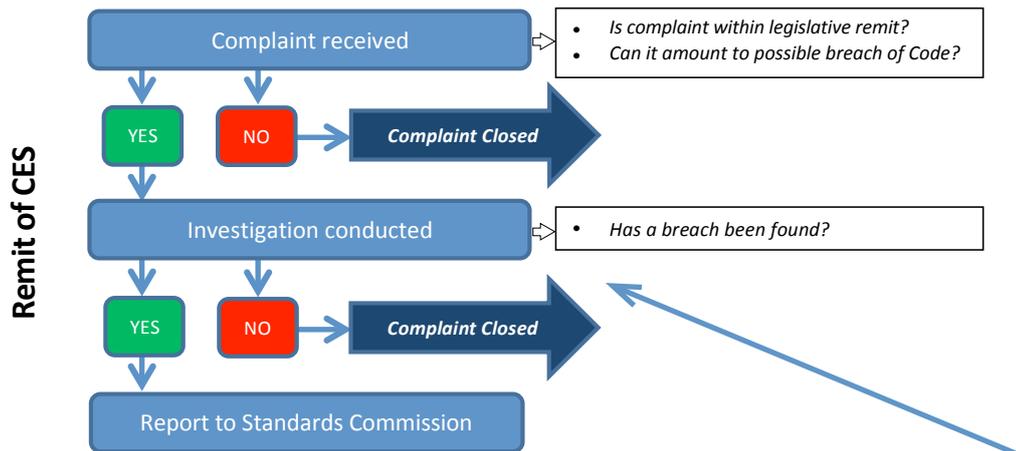
- A proactive educational role around the ethical standards framework, including publishing Guidance on the relevant Codes of Conduct
- An adjudicatory role in holding Hearings to decide whether alleged breaches of the Codes have been proven, and if so, then to determine appropriate sanctions.

What We Do Not Do

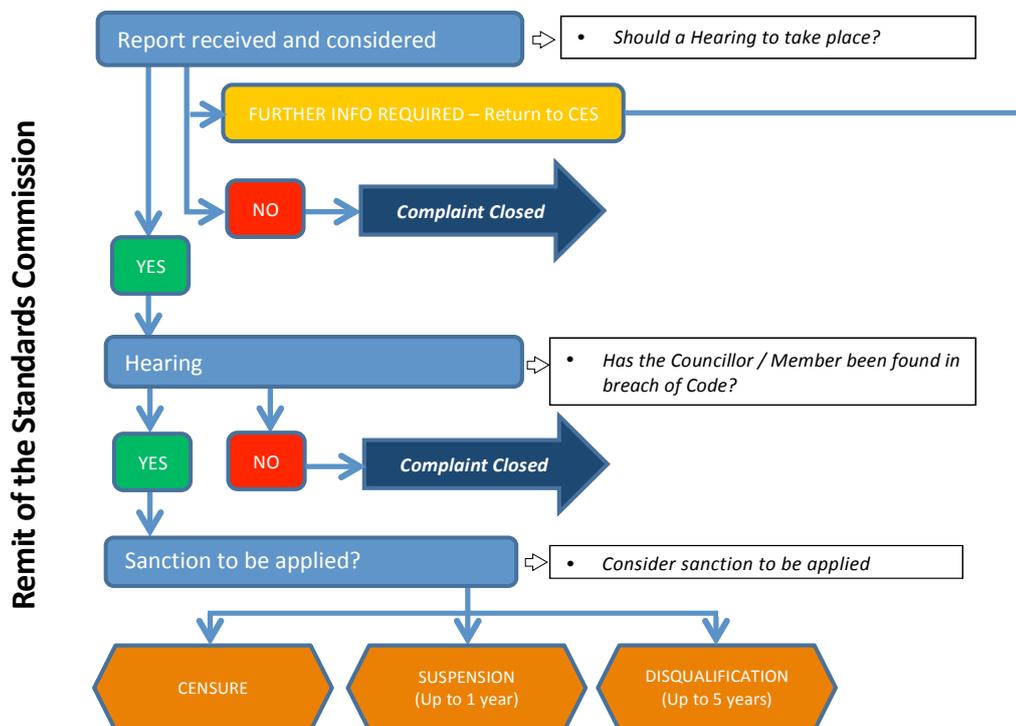
The Standards Commission provides an adjudicatory function and is not responsible for instigating or investigating complaints about possible breaches of the Codes of Conduct.

All complaints about potential breaches of the Codes of Conduct should be submitted to the Commissioner for Ethical Standards in Public Life in Scotland (CES).

Overview of Complaints Investigation Process



Overview of the action taken by the Standards Commission following receipt of a Report of Breach of a Code of Conduct from the CES



MEETING OUR STRATEGIC OBJECTIVES

Strategic Objective 1

'To promote the Ethical Standards Framework to ensure the Codes of Conduct are recognised and respected by the public and other stakeholders.'

Work towards achieving this objective included:

- Extensive liaison with Scottish Government Public Bodies Unit in relation to the dissemination of the new Model Code of Conduct.
- Two sessions with Members of the Scottish Parliament regarding information sharing on the role of the Standards Commission and future plans.
- Press releases issued for all Hearings, in order to inform public awareness and ensure transparency of decision making.
- Provision of guidance and advice in response to requests from members of the public, Councils and Devolved Public Bodies about the application of the Codes of Conduct.

Strategic Objective 2

'To assist Councils and Devolved Public Bodies to achieve the highest ethical standards of conduct and to ensure that the advice and support provided by the Standards Commission responds to their needs.'

Work towards achieving this objective included:

- Two 'Professional Briefings' issued, highlighting Hearing outcomes and survey results to key audiences.
- Two workshops undertaken with Monitoring Officers and Standards Officers to examine emerging trends and seeking feedback on updating Guidance on the Codes of Conduct.
- Two training sessions conducted with Councillors within Local Authorities, highlighting key aspects of the Councillor's Code and addressing local queries.

- Extensive programme of face to face meetings with Senior Officers within Local Authorities and Devolved Public Bodies, seeking feedback on issues and opportunities identified in working with the Codes of Conduct.
- Consideration of non-breach reports from the CES to monitor trends and identify issues which may require inclusion into the Standards Commission's Guidance to Councils and Devolved Public Bodies.

Strategic Objective 3

'To enforce the Codes of Conduct impartially, timeously and in accordance with legislation.'

Work towards achieving this objective included:

- During the year, the Standards Commission held five Hearings to determine whether Councillors had contravened the Councillors' Code of Conduct. In each case, the Hearing Panel found that a breach of the Code had been committed and appropriate sanctions were then applied. Further details can be found in Section 4.

In relation to our performance, all cases:

- o Were listed for Hearing to commence within 12 weeks of the decision to hold a Hearing;
- o Were held in accordance with the legislative requirements and the Standards Commission's Hearing Rules;
- o The written decisions, including the reasons for the decision, was supplied to the parties within 15 working days of the conclusion of the Hearing; and
- o The decisions were publically available within 25 days of the Hearing.

Strategic Objective 4

'To operate in accordance with the principles of good governance, best value, joint working and working in partnership.'

Work towards achieving this objective included:

- Continuing Professional Development session for Commission Members, facilitated by University of Glasgow, to keep under review the effectiveness and performance of the Hearings process.
- Liaison with Scottish Government Public Bodies Unit in relation to the production and content of the new Model Code of Conduct.
- Range of professional networking sessions with other regulatory/scrutiny bodies to inform future joint working including Scottish Public Services Ombudsman, Accounts Commission and SPCB.
- Completion of range of internal and external audits, giving assurance on the effective governance and efficient running of the organisation.
- Ongoing work on shared services with Scottish Parliament including accommodation, HR, finance and internal audit services.

CASE STATISTICS

SECTION 4:

The CES investigates complaints in which a Councillor, or a Member of a Devolved Public Body, is alleged to have contravened one of the Codes. Where the CES concludes there has not been a breach of the Code, he sends a note of his conclusion to the Standards Commission, which is then obliged to accept the matter as closed.

In each case where the CES determines that a breach of the Code of Conduct has occurred, the Standards Commission's decision on what action it will take is notified to the person or persons making the complaint, the person or persons being complained about, the Chief Executive of the Council or Board of which that person is a Member (copied to the Monitoring Officer or Standards Officer) and the CES.

Breach Reports are considered by the Commission Members, who may decide to:

- take no further action;
- direct the CES to carry out further investigations; or
- hold a Hearing.

During 2013/14, the CES referred six cases in which he determined there had been breaches of the Councillors' Code of Conduct. There were no cases reported relating to Members of Public Bodies. Two Hearings held during 2013/14 were related to cases referred to the Standards Commission during the previous year.

The total number of cases being reported to the Standards Commission by the CES, where he has found a breach may have taken place, remains fairly consistent year on year. In the previous year, 2012/13, the CES referred four cases and in the year 2011/12 he referred five cases.

Decisions of the Standards Commission following receipt of the CES's Reports

	No of Cases
Breach reports referred to Standards Commission during 1 April 2013 - 31 March 2014	6
Commission decision to take no further action	0
Commission decision to hold a Hearing	6
Hearings held over from previous year	2
Hearings held during 2013/14	5
Hearings carried forward to 2014/15	3

Findings of Hearings Conducted by the Standards Commission

Findings	Number
Finding of breach	5
Finding of no breach	0
Total	5

Hearings are held in public, unless the Commission Members determine that it is appropriate for a Hearing to be held in private. All five Hearings held during 2013/14 were conducted in public.

Sanctions applied following findings of breach cases

Sanction	Number
Censure	3
Suspension - full ¹	1
Suspension - partial ²	1
Disqualification ³	0
Total	5

Appeals against decisions made by the Standards Commission

A Councillor or Member of a Devolved Public Body who has been found by the Standards Commission to be in breach of the Councillors' or Members' Code or on whom a sanction has been imposed may appeal to the Sheriff Principal for the area in which the Hearing was held.

No appeals were lodged or heard during the year.

Notes:

1 Full suspension means that the Respondent is suspended from attending all meetings of the Council/Board, Committees and Sub-Committees and of any other Body of which he/she is a representative or nominee of the Council/Board.

2 Partial suspension means that the Respondent is suspended from attending one or more, but not all of the following:

- (i) all meetings of the Council/Board; (ii) all meetings of one or more Committees or Sub-Committees of the Council/Board; (iii) all meetings of any other Body on which the Respondent is a representative or nominee of the Council/Board.

3 Disqualification means that the Respondent is disqualified for the period determined (which may not exceed 5 years) from being, or from being nominated for election as, and from being elected, a Councillor or Board Member. In a Local Authority, this has the effect of vacating that councillor's office.

SUMMARY OF HEARINGS

SECTION 5:

Summaries of all Hearings conducted during the year are set out below - the full written decisions can be accessed at:

http://www.standardscommissionscotland.org.uk/advanced_search

Case	LA/F/1264 – Falkirk Council
Complaint	The Complainant alleged that the Respondent had contravened the Councillors' Code of Conduct and in particular paragraph 3.16 which relates to Use of Council Facilities.
Decision	<ol style="list-style-type: none">1. The Councillors' Code of Conduct applied to the Respondent.2. The Respondent had breached paragraph 3.16 of the Code in so far as he had used Council staff and facilities for campaigning activities in the distribution of political campaigning material.
Sanction	<p>The Panel decided to censure the Respondent. In reaching its decision, the Panel took into account:</p> <ol style="list-style-type: none">1. Paragraph 3.16 is a fundamental principle of the Councillors' Code of Conduct. The requirement was established by the Local Government Act 1986 and was incorporated into the Code in 2003 and repeated in the revised Code issued in 2011.2. It is a personal responsibility of every Councillor to comply with the Code of Conduct.3. The Councillor has been a Councillor for 22 years and the Hearing Panel would have expected him to have a clear understanding of the Code and his own Council's protocol.4. The Councillor had apologised for his actions at an early stage and now accepted he had breached the Code of Conduct. <p>The Hearing Panel recommended that the Councillor should refresh his knowledge of the Code and the Council's own protocol and attend any training opportunities.</p>

SECTION 5:

Case	LA/Mi/1278 – Midlothian Council
Complaint	The Complaint alleged that both Respondents, while elected members of Midlothian Council, had contravened the Code and, in particular, the provisions relating to Registration of Interests and Declaration of Interests.
Decision	<ol style="list-style-type: none">1. The Councillor’s Code of Conduct applied to both Respondents.2. The Respondents have breached Paragraphs 4.1, 4.18 and 4.19 of the Code of Conduct for Councillors and Regulation 4 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003.
Sanction	<p>The Panel decided to censure both Respondents. In reaching its decision, the Panel took into account:</p> <ol style="list-style-type: none">1. The registering of interests by Councillors is a fundamental requirement of the Code and the Panel wish to reinforce that requirement.2. In failing to register properly and timeously, their ownership of property, they did not demonstrate the openness and transparency required by the Code.3. The Respondents accept that it was their responsibility to comply with the Code and that they should have been more diligent in doing so and apologise for that omission.4. The Panel took account of the Joint Statement, which indicated this omission had been an honest mistake.5. The Panel is pleased to note the recognition by both Respondents of “the importance of the Code to public service in Scotland and, in particular, the need for transparency on the part of public office holders including elected Members”.6. The contribution to public service by both Respondents was brought to the attention of the Panel.

Case LA/SB/1291 – Scottish Borders Council

Complaint The Complaint alleged that the Respondent, while an elected member of Scottish Borders Council, had contravened the Code and, in particular, the provisions relating to Declaration of Interests.

- Decision**
1. The Councillors’ Code of Conduct applied to the Respondent
 2. The Respondent has breached Paragraphs 5.7 and 7.12 of the Councillors’ Code of Conduct.

The reasons for the decision on the complaint flow from paragraph 5.1 of the Code.

The Panel accepts that discretion may exist in Section 5.7 to allow a councillor to consider whether the interest is so remote or insignificant that it could not reasonably be taken to fall within the objective test. In this instance, however, in registering the non-financial interest it is clear that the Respondent regards his interest in the Church as significant; being an interest that members of the public might reasonably think could influence his actions in the Council. The Panel considered that it was unreasonable for the Respondent to conclude that his membership of the Kirk Session was insignificant to the role that he had to undertake as Chair of the Planning Committee, when considering a planning application to which the Kirk Session and the Minister of the Church had objected.

1. The Panel determined that the interest would then fall within the objective test and therefore should have been declared.
2. In making this determination, in relation to Section 5.7, the Panel was satisfied that his membership of the Kirk Session, was itself, sufficient to demonstrate that the Respondent would have an interest in the outcome of the planning application, as set out in Section 7.12. This should have led to him refraining from taking part in the decision whereas, in fact, he led the decision making process to a refusal of the applications.
3. By failing to declare the interest, which he had registered under Category 8 of the Code and then withdrawing from the discussion at the Planning Committee, the respondent was in breach of the Councillors’ Code of Conduct.

SECTION 5:

Sanction

The Panel decided to suspend for three months the Councillor's entitlement to attend the Committee/ Committees in Scottish Borders Council that are responsible for making planning decisions and his entitlement to represent the Council elsewhere in planning matters. In reaching its decision, the Panel took into account:

1. The Respondent demonstrated serious lack of judgement, as Chair of a quasi-judicial Committee, in not recognising the importance of declaring this non-financial interest and the benefit of seeking professional advice on such matters.
 2. The Respondent had made a subjective interpretation of the Councillors' Code of Conduct, which did not meet the intended requirement of the Code, in relation to transparency, in regard to declaring interests that might influence, or be thought to influence, his actions as a councillor.
 3. The Respondent had recognised a conflict of interest at the Kirk Session but failed to give equal consideration to that interest when he heard the applications as Chair of the Planning Committee, where he led the discussion with objections to the applications.
 4. In applying this sanction, however, the Panel acknowledges the Respondent's good record of public service in the Scottish Borders Council.
-

Case LA/Fa/1392 – Falkirk Council

Complaint It is alleged that the Respondent has contravened the Councillors’ Code of Conduct, and, in particular, paragraph 3.2 of the Code, which deals with conduct at meetings.

Decision

1. The Councillors’ Code of Conduct applied to the Respondent.
2. The Respondent had breached Paragraph 3.2 of the Councillors’ Code of Conduct when he was disrespectful in the Council Chamber of Falkirk Council on the 6 March 2013.

The reasons for the Hearing Panel decision are based on the balance of probabilities arising from the evidence heard:

1. During the meeting on 6 March 2013, in relation to an agenda item under discussion, a vote was taken to allow for the suspension of Standing Orders; those supporting the motion, which included the respondent, voted first. Those opposing the suspension of the Standards Orders voted second. The result of the votes was announced. This had been a contentious issue during which there had been exchanges across the Chamber including an allegation of dictatorship. At this point, following the vote, it is alleged that the Respondent raised his arm in a straight-arm salute and said the words “Sieg Heil”.
2. The Hearing Panel carefully considered the evidence of four witnesses who had observed and heard this event and when it occurred, giving particular credence to that of the Provost and the Democratic Services Manager. The Hearing Panel heard evidence from other witnesses who said that they had not observed this event.
3. The Respondent admitted that he had said a form of words that included the phrase “Sieg Heil”. There was no evidence given of the other form of words used by the respondent.
4. The Hearing Panel determined, on the balance of probabilities, that this event - action and words, had taken place.

SECTION 5:

5. There is evidence from the Provost that he had objected to what had been done and said by the Respondent and, as a consequence, he had received a form of apology from the Respondent, which was later repeated by him in the Provost's Chamber. The Hearing Panel considers the event was directed at the Provost.
6. There is clear evidence from the witnesses who had seen and heard this event that the Respondent was disrespectful of the Provost; the Hearing Panel considered it was unreasonable and disrespectful for the Councillor to conduct himself in this way.

Sanction

The Hearing Panel decided to censure the Respondent. In reaching its decision, the Panel took into account:

1. The Hearing Panel accepted the action was a moment of indiscretion on the part of Respondent.
2. The Hearing Panel also accepted that he showed regret and made an immediate apology to the Provost and repeated that apology at a later time.
3. The Hearing Panel carefully considered all of the evidence, the circumstances and the mitigation. The Respondent has made a significant contribution in public life in Scotland and elsewhere. The Panel saw no merit in suspending the Respondent even for a limited time.

The Hearing Panel considered that censure will allow the Councillor to reflect on his future conduct in the Chamber.

Case	LA/R/1397 – Renfrewshire Council
Complaint	The Complaint alleged that the Respondent, had contravened the Councillors’ Code of Conduct, and, in particular, the provisions set out in section 5 on Declaration of Interests.
Decision	<ol style="list-style-type: none"> 1. The Councillors’ Code of Conduct applied to the Respondent. 2. The Respondent had breached paragraphs 5.3, 5.5 and 5.10 of the Councillors’ Code of Conduct.
Sanction	<p>The Panel decided to suspend for 4 weeks the Respondent’s entitlement to attend meetings of Renfrewshire Council’s Economy and Jobs Policy Board. In reaching their decision, the Panel took into account:</p> <ol style="list-style-type: none"> 1. The serious nature of any breach of the Code’s provisions relating to financial interests and in this case the Councillor was a remunerated employee of the organisation in question. 2. The fact that the Respondent not only failed to declare an interest and withdraw from the room but instead spoke to the motion and gave his support to a proposal to award a contract to his employer; 3. He is an experienced councillor of 13 years and Leader of the Council and so has additional responsibilities as a role model for others; 4. The general public has a right to expect due diligence from its councillors when it comes to checking the content of council papers; 5. In mitigation, the Respondent acted swiftly on appreciating what had happened and apologised for his actions. The Panel accepted that his responsibilities as Council Leader meant that he was very busy and the breach had occurred because of an oversight and was not intentional.

FINANCIAL OVERVIEW

SECTION 6:

The financial information provided is a summary extracted from the Standards Commission for Scotland's Annual Accounts 2013/14. It does not contain sufficient information to allow as full an understanding of the results and state of affairs of the Standards Commission as would be provided by the audited Annual Accounts. For a full copy of the Standards Commission's Annual Accounts 2013/14 and more information about our finance and governance arrangements, visit our website at www.standardscommissionscotland.org.uk/content/about-standards-commission

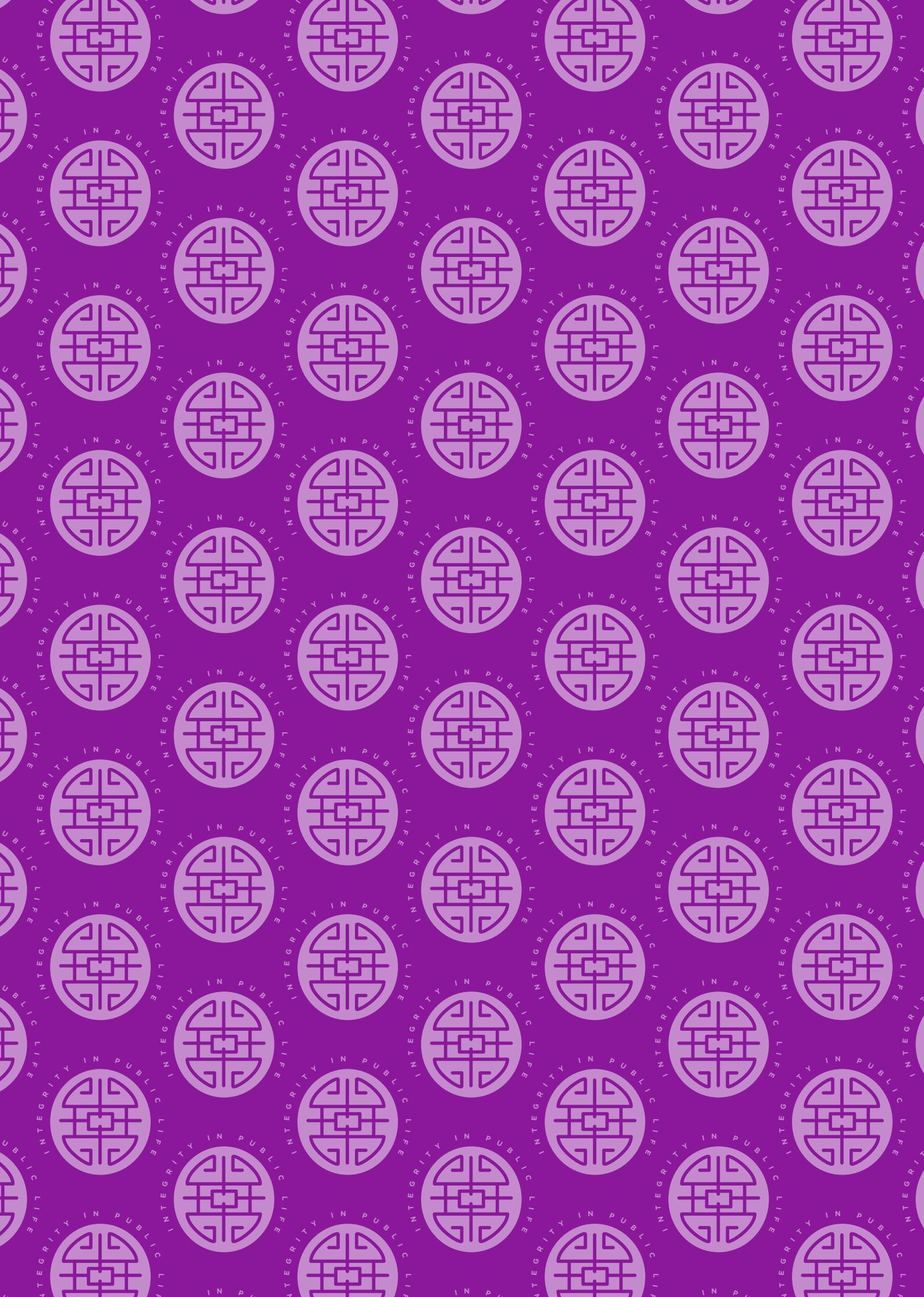
Statement of Comprehensive Net Expenditure For Year Ended 31 March 2014

	2013-14 £'000	2012-13 £'000
Administration Costs		
Staff Costs	182	173
Other Administration Costs	51	31
Depreciation	3	3
Net Administration Costs	207	251
Net Operating Costs	236	207

All amounts relate to continuing activities. There have been no gains or losses other than those recognised in the Statement of Comprehensive Net Expenditure.

Other Administration Costs

	2013-14 £'000	2012-13 £'000
Legal advice	17	3
Audit fee	2	2
Recruitment costs	-	6
Hearing costs accommodation	3	1
Information technology costs	5	2
Printing and promotion costs	2	2
General administration costs	5	2
Officeholders travel and expenses	7	7
Staff travel and expenses	10	6
	51	31





Standards Commission for Scotland

If you would like to know more details about the work of the Standards Commission for Scotland or have any other enquiry which is not about a complaint against a Councillor or Member of a Devolved Public Body, please contact:

The Standards Commission for Scotland

Room T2.21
The Scottish Parliament
Edinburgh
EH99 1SP

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Fax: 0131 557 9243
Email: enquiries@standardscommission.org.uk
Web: www.standardscommissionscotland.org.uk