



**12 October 2020**

**MEDIA RELEASE**

### **MORAY COUNCILLOR CENSURED FOR FAILING TO REGISTER AND DECLARE AN INTEREST**

A Moray Councillor, Shona Morrison, was censured by the Standards Commission at a Hearing held online on 12 October 2020 for failing to register that she was a paid member of the Board of NHS Grampian and for failing to formally declare the membership as an interest, as required by the Councillors' Code of Conduct, at a meeting of the Council on 2 October 2019. The Hearing Panel accepted, however, that Councillor Morrison's failure to comply with the Code was inadvertent and an oversight. It noted that she had apologised unreservedly.

Mr Paul Walker, Standards Commission Member and Chair of the Hearing Panel, said: "The requirement for councillors to register and declare certain interests is a fundamental requirement of the Code. A failure to do so can remove the opportunity for openness and transparency in a councillor's role and can deny members of the public the opportunity to consider whether a councillor's interests may or may not influence their discussion and decision-making. It is a councillor's personal responsibility to ensure they register and declare interests as required by the Code."

"In this case, however, the Panel had no reason to consider the failure to register and declare the interest was anything other than an inadvertent breach of the Code. It noted that Councillor Morrison had made no attempt to hide her interest and had apologised to all concerned for her failure to declare it."

The Panel noted that the Code requires all remunerated positions to be registered. The Panel heard that it was not in dispute that Councillor Morrison chaired a meeting of Moray Council. The Panel heard that Councillor Morrison did not declare a formal interest when an item of business on the agenda relating to a formal response from the Council, which was to be sent to the Chief Executive and the Chair of NHS Grampian, regarding a consultation on the future of children's services at a hospital in Elgin was to be discussed. While Councillor Morrison stood down as Chair while the item was being discussed, she did not leave the Chamber.

The Panel determined, however, that Councillor Morrison's conduct did not warrant a more severe sanction than censure. This was because there was no evidence that she had attempted to conceal his interest or that there was any personal gain. Furthermore, if Councillor Morrison had registered and declared the interest as required, the specific exclusion in the Code which applied would have allowed her to take part in the discussion and decision-making.

A full written decision of the Hearing will be issued and published on the Standards Commission's website within 5 days.

## **ENDS**

All councillors have a personal responsibility to adhere to the provisions outlined in the Councillors' Code of Conduct, which is based on nine key principles, including, integrity, honesty and respect.

The Standards Commission for Scotland is an independent public body, responsible for encouraging high standards of behaviour by councillors and those appointed to boards of devolved public bodies.

The public bodies include colleges, National Health Service boards and regional bodies, such as the Highlands and Islands Enterprise.

It also covers national organisations like the Scottish Qualification Authority, Sport Scotland and Scottish Water, among many others.

Further information on the role of the Standards Commission for Scotland can be found at <http://www.standardscommissionscotland.org.uk/>

The Code contains a specific exclusion that allows councillors who are also members or directors of certain other devolved public bodies (including NHS Grampian), to take part in the consideration and discussion of, and to vote upon, a matter relating to body (provided the matter in question is not quasi-judicial or regulatory in nature). The specific exclusion only applies, however, if the councillor has declared his or her interest at the meeting where the matter is to be discussed. In this case, the Panel found that Councillor Morrison failed to declare an interest at the Council meeting on 2 October 2019. The Panel concluded that, as such, she should have left the room and made it clear she was not taking part in the discussion and decision-making.

**Issued by the Standards Commission for Scotland. For further information please contact the Standards Commission on 0131 348 6666 or [enquiries@standardscommission.org.uk](mailto:enquiries@standardscommission.org.uk)**