



30 November 2023

MEDIA RELEASE

WEST LOTHIAN COUNCILLOR CLEARED OF BREACH OF COUNCILLORS' CODE

Following a Hearing held in Livingston on 30 November 2023, West Lothian councillor Sally Pattle was found by the Standards Commission to have breached the Councillors' Code of Conduct, on the face of it, for failing to behave with courtesy and respect during a visit to the offices of a local Business Improvement District, One Linlithgow, in July 2022. The Panel found, however, in the circumstances, that a formal finding of breach could not be made as a restriction on Cllr Pattle's right to freedom of expression could not be justified.

Ashleigh Dunn, Standards Commission Member and Chair of the Hearing Panel, said: "In this case, the Panel found that Cllr Pattle's conduct towards the staff present in the office was inappropriate."

The Panel heard that Cllr Pattle had visited the offices of One Linlithgow in order to hand over a cheque. Having heard from two witnesses at the Hearing, the Panel was satisfied, on balance, that following a disagreement over her status as a member of the board of One Linlithgow, Cllr Pattle behaved in an inappropriate manner by speaking in a loud and aggressive tone, and pointing her finger. As such, the Panel found that Cllr Pattle had failed to treat the staff members with courtesy and respect, as required by the Code.

The Panel accepted, nevertheless, that Cllr Pattle was entitled to the enhanced right to freedom of expression afforded to politicians commenting on matters of public interest, under Article 10 of the European Convention on Human Rights. The Panel heard that Cllr Pattle's interaction with employees had been very limited and that her loud and aggressive tone had been relative to the disagreement over her board status, rather than being aimed at any particular member of staff as an individual. As such, the Panel found that her conduct had not been sufficiently personal, offensive, abusive or gratuitous as to justify a restriction on her enhanced right to freedom of expression, which a finding of a breach of the Code and imposition of a sanction would entail. As such, the Panel concluded overall that a breach of the Code could not be found.

Ms Dunn stated:

"The Panel emphasised that the requirement for councillors to behave in a respectful and courteous manner towards others is a fundamental requirement of the Code, as it helps to both protect the public and to ensure confidence in the role of an elected member and the council itself is not undermined. Failing to uphold the values the public are entitled to expect only serves to contribute to poor standards of behaviour and public debate."

A full written decision of the Hearing will be issued and published on the Standards Commission's website within 14 days.

ENDS

NOTES FOR EDITORS

1. Complaints about councillors are made to the Ethical Standards Commissioner (ESC). The Standards Commission and ESC are separate and independent, each with distinct functions. The ESC is responsible for investigating complaints. Following investigation, the ESC will refer its report to the Standards Commission for Scotland for adjudication. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/> Tel: 0300 011 0550
2. 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 including in education, environment, health, culture, transport, and justice. The role of the Standards Commission is to encourage high ethical standards in public life; promote and enforce the Codes of Conduct; issue guidance to councils and devolved public bodies and adjudicate on alleged breaches of the Codes of Conduct, applying sanctions where a breach is found.
3. The [Codes of Conduct](#) outline the standards of conduct expected of councillors and members of devolved public bodies. In local authorities, there is one Code of Conduct, approved by Scottish Parliament, which applies to all 1227 councillors elected to Scotland's 32 Local Authorities.