



**5 June 2025**

**MEDIA RELEASE**

## **FALKIRK COUNCILLOR SUSPENDED FOR BREACH OF CODE OF CONDUCT**

At a Hearing held online on 5 June 2025, the Standards Commission suspended, for three months, an elected member of Falkirk Council, William Buchanan. This was after he was found to have breached the Councillors' Code of Conduct.

Morag Ferguson, Standards Commission Member and Chair of the Hearing Panel, said:

*"The Panel found that, in an email of 9 June 2023, Cllr Buchanan was disrespectful towards a planning officer of the Council. The Panel further found that Cllr Buchanan's conduct, in respect of the email, amounted to bullying, even if this had not been his intent."*

The Panel heard that the Council's Planning Review Committee granted, in March 2022, permission on a planning application, subject to conditions and a Legal Agreement being in place. The Panel noted Cllr Buchanan, as Convener of the Committee, was advised at the end of May 2023 that the Legal Agreement had not been finalised. The Panel noted that after another councillor on the committee sent an email asking about the delay, a senior planning officer replied, explaining the delay had been caused by the introduction of a revised National Planning Framework and associated policy requirements.

The Panel found that Cllr Buchanan then sent an email, on 2 June 2023, to the other councillor and managers from the senior planning officer's team stating that he wanted "an immediate investigation" into the situation and the concerns expressed regarding the senior planning officer's "part in the handling" of the application.

The Panel further found that Cllr Buchanan sent an email, on 9 June 2023, to the same recipients, stating that he was "looking for a meeting" with officers "to make a formal complaint and get advice on the suspension of an officer pending the outcome of an investigation". Cllr Buchanan proceeded to state that he was also considering contacting the police about the matter and would copy in his solicitor should he "be required". Cllr Buchanan concluded the email by stating the situation was "scandalous".

The Panel accepted that, in his email of 9 June 2023, Cllr Buchanan had not identified the senior planning officer as the officer about whom he had concerns and was seeking advice with regard to a potential suspension. The Panel noted, however, that Cllr Buchanan had confirmed to the Ethical Standards Commissioner during the investigation that he had been referring to the senior planning officer. The Panel was satisfied, in any event, that when considered in the context of his earlier email, it was evident Cllr Buchanan assumed the senior planning officer was responsible for what he regarded as an undue delay in progressing the matter.

The Panel was of the view that, regardless of intent, a reasonable interpretation of Cllr Buchanan's email of 9 June, as a whole and in the context in which it was sent, was that he was also suggesting the senior planning officer be suspended as a result. In support of this conclusion, the Panel noted

Cllr Buchanan had deliberately removed the senior planning officer from the list of recipients in the email chain. The Panel further noted it had not been provided with any credible explanation as to why Cllr Buchanan may otherwise have asked for advice about the suspension of an officer.

The Panel accepted fully that Cllr Buchanan was entitled to raise questions about the progress of applications determined by the Committee and to raise concerns, with the appropriate line manager or senior officer, about delays potentially caused by a council employee. The Panel considered, however, that it was reasonable for anyone reading the email to conclude, from Cllr Buchanan's mention of a disciplinary measure, the police, his solicitor, and his use of the word "scandalous", that he was clearly implying the senior planning officer was guilty of misconduct and or had deliberately done something that was improper or illegal.

The Panel was of the view it was entirely disrespectful for Cllr Buchanan, as an elected member and Committee chair, to have made such serious accusations about the senior planning officer (who, as a council officer was someone over whom he enjoyed a position of power and influence), without providing any details or supporting evidence. The Panel considered this was particularly the case given, at least on the face of it, some form of explanation for the delay had been provided.

The Panel was further of the view that Cllr Buchanan should have known it was likely the contents of his email would be disclosed to the senior planning officer, given the reference to disciplinary proceedings and seriousness of the inferred allegations about the officer's conduct (even if the full email was not shared).

The Panel agreed that it would be reasonable for the senior planning officer to have interpreted Cllr Buchanan's comments as a threat to contact both the police and an external solicitor about his conduct. Given that, unless there was a suggestion of illegality, an officer's conduct would be an internal council matter, the Panel considered it would be reasonable for the senior planning officer to have felt bullied by this. The Panel again noted that Cllr Buchanan had not provided any evidence to support an accusation of illegality or even misconduct. In the circumstances, it considered Cllr Buchanan's conduct, in making such an implicit threat, amounted to bullying. The Panel concluded, therefore, that Cllr Buchanan had breached the provisions in the Code that require councillors to behave respectfully towards council officers and to refrain from any conduct that could amount to bullying.

While the Panel accepted councillors are entitled to raise concerns about apparent delays and ask for them to be investigated, it considered that in stating that he was "looking for a meeting" so that he could obtain advice "on the suspension of an officer pending the outcome of an investigation", Cllr Buchanan was effectively directing that a meeting be held and / or an investigation undertaken into the senior planning officer's conduct in conjunction with a suspension. The Panel was of the view that, in trying to direct an action be taken in respect of a potential disciplinary matter concerning an individual officer of the senior planning officer's grade, Cllr Buchanan was becoming inappropriately involved in an operational matter, in breach of paragraph 3.7 of the Code. This was regardless of whether any action was taken as a result.

In determining the sanction to be imposed, the Panel agreed that, as an experienced member, Cllr Buchanan should have known how to undertake his scrutiny role in respect of the application and overall process and could have asked relevant senior officers to establish whether and, if so why, any undue delays had occurred, without breaching the Code. The Panel was concerned that Cllr Buchanan had not shown any remorse or insight into how his conduct may have affected others.

The Panel nevertheless noted, in mitigation, that the conduct in question was essentially limited to the one email exchange and, as such, was limited in duration. As such, the Panel concluded, on balance, that a three-month suspension was the appropriate sanction.

Mrs Ferguson stated: *“the requirements for elected members to treat council officers with respect, to refrain from any conduct that could amount to bullying, and to refrain from becoming inappropriately involved in operational management, are all key requirements of the Councillors’ Code. The Panel noted that a failure to comply with the Code’s provisions in these regards can have a detrimental impact on officers and can also erode the mutual bond of trust and confidence between them and councillor that allows local government to function effectively.”*

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](mailto: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.