

# STANDARDS UPDATE

June 2025



## Civility in Public Life

The Standards Commission's Convener, Suzanne Vestri, took part in a Roundtable convened by COSLA, held on 28 May 2025, on Civility in Public Life. The Roundtable was aimed at addressing the pressing issue of targeted abuse and intimidation towards elected members. Various organisations took part and agreed to develop an action plan outlining how they could work together to address various topics, including ensuring the physical security of politicians, promoting civil discourse and improving democratic engagement and participation. The Standards Commission looks forward to contributing to this work.



## Video on complaints about councillors and members of public bodies

The Standards Commission has produced and published on its website a new [video](#) for members of the public. In the video, we explain the roles of the Standards Commission and Ethical Standards Commissioner. We also outline:

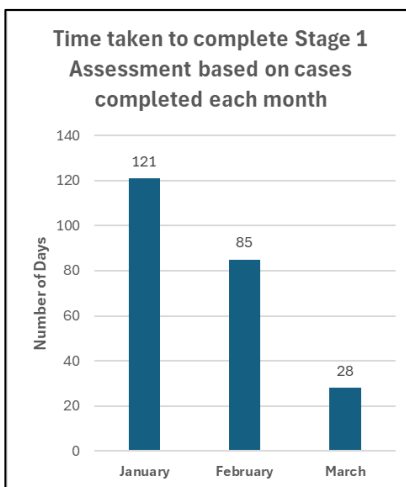
- what the Codes of Conduct for councillors and board members of devolved public bodies in Scotland do and do not cover;
- how to make a complaint that a councillor or board member has contravened their Code; and
- what happens when a complaint is made.

## Easy Read



## Easy Read Guides on the Codes of Conduct

The Standards Commission has produced [Easy Read Guides on the Councillors' and Model Codes of Conduct](#), which are aimed at providing information on what the Codes cover and how to make a complaint that they have been breached in an easily understandable and accessible format.



## Update from the Ethical Standards Commissioner

“As we move into 2025/26, the Commissioner and the team continue to make significant progress in reducing case queues and complaint handling times, especially for the assessment stage. The significant improvement is the result of sustained efforts and initiatives introduced over the past year to enhance the efficiency and effectiveness of our complaints management alongside the dedication of additional senior resource to this activity during the last quarter. All new measures designed to enhance efficiency and build capacity are now formalised within internal guidance. Those measures are also set out in the revised [Investigations Manual published in April 2025](#), which also introduced revised KPIs and targets set in consultation with our stakeholders. Going forward, the Commissioner and the team will work to prioritise reducing investigation and reporting times in line with the revised KPIs to ensure our office is meeting everyone’s expectations.”

## Cases Overview

Since the last briefing in March 2025:

<b>Cases Referred to SCS by ESC</b> Elected members of Stirling, Fife, Aberdeenshire (two cases), Angus, North Lanarkshire, Argyll and Bute, West Lothian (two cases), Highland (two cases), North Ayrshire (three cases), Aberdeen City, Inverclyde, Glasgow City (two cases), East Lothian (three cases) and Falkirk* Councils. * Decision pending	22
<b>SCS directed ESC to carry out Further Investigation</b> West Lothian, Highland and Glasgow City councillors	3
<b>Hearings scheduled</b> Aberdeenshire, Angus, North Ayrshire and Aberdeen City councillors	4
<b>Hearings held</b> Highland and Falkirk councillors and Crofting Commission member	3
<b>No Action</b> Written decisions in respect of these cases can be found on the <a href="#">Cases</a> page of our website.	15

### Highland Council – LA/H/3969 - Breach

At a Hearing held on 15 April 2025, the Standards Commission decided to suspend a Highland councillor for two months after he was found to have been disrespectful towards the Chair and Committee of a local community group, in breach of the Councillors' Code of Conduct.

The Hearing Panel heard that the Committee was approached by Forestry and Land Scotland for its views on a land purchase request received from a local constituent. The Panel found that the Respondent sent the Committee Chair an email in September 2023 stating that if the Committee did not support the land purchase, then he could not support “further money” for further improvements to the village hall, for which it was responsible. The Panel noted that the Respondent previously made several unannounced visits to the Chair's home and called him on numerous occasions to discuss the land purchase request.

The Panel noted that the Committee was entitled to seek grant funding from the Council's discretionary ward budgets. It noted that, as one of three ward councillors for the local area, the Respondent was entitled to advise council officers of his views on how the ward budget should be spent, albeit he was not the decision-maker on how any funds should be distributed. The Panel considered it was evident from a reference in the email to the constituent “also” being willing to provide sponsorship, that the Respondent was referring to any potential source of funding, including from the Council. The Panel noted that while the Respondent would not have had any control over the constituent's expenditure, he enjoyed some degree of influence in terms of how the ward budget should be spent. The Panel concluded, therefore, that the Respondent, as a ward councillor, effectively threatened to use his position and influence over the expenditure of ward funds to pressure the Chair and Committee into making a decision on a wholly unrelated matter. The Panel considered it would have been reasonable for the Chair to have understood the email to constitute a viable threat. This was because the Respondent had influence in over how the ward budget was spent. It was also because it was evident, from the Respondent's actions in making several visits and numerous telephone calls to the Chair, that he felt very strongly about the Committee's stance towards the potential land purchase.

The Panel considered that by threatening to use his position as a councillor with influence over expenditure of council funds to force the Chair and Committee into a particular stance on an unrelated matter, the Respondent was disrespectful towards the Chair and Committee. In reaching this view, the Panel considered the threat would not have been made had there not been an inherent assumption that the Chair or Committee could be financially motivated

when making a decision on an issue of local concern. The Panel therefore concluded that the Respondent had breached paragraph 3.1 of the Code.

The Panel was pleased to note that the Respondent accepted he had breached the Code and had apologised for doing so. The Panel was of the view, nevertheless, that the public has the right to expect that councillors will make decisions about whether to support funding decisions based on merit (rather than on any unrelated matter, regardless of whether the unrelated matter may be beneficial to the community). The Panel was concerned that the Respondent's conduct had the potential to erode the public's trust in this regard. It was concerned that, in this case, public trust was adversely affected. The Panel further considered it was evident that the Respondent's conduct impacted negatively the Chair and the Committee's effectiveness in attempting to facilitate a consultation exercise. In the circumstances, the Panel concluded, that a two-month suspension was the appropriate sanction.

### **Crofting Commission – NB/CC/3976 - Breach**

At a Hearing held on 30 April 2025, the Standards Commission censured a member of the Crofting Commission after he was found to have breached the Crofting Commission Members' Code of Conduct. The Panel heard that the Respondent forwarded an email from his solicitor regarding an application he had submitted for de-crofting, to another Commissioner (who is now, but was not at the time of the email, the Commission's Convener) from his personal account in July 2023. The Panel noted he then sent the same email, also from his personal account, the following day, to the same Commissioner and the then Convener.

The Panel noted that the Respondent's position was that he was just sharing the information with the recipients as an example of problems with a decision-making process. The Panel did not consider the Respondent would have any reason to email the other Commissioner about the matter, if he was only doing so as a service user. The Panel noted, in any event, that the Respondent was unclear as to the capacity in which he was sending the emails (i.e. as a board member or a service user), but that the other Commissioner took it as having been sent in the capacity of a board member. The Panel noted there was no evidence or suggestion that the Respondent was trying to persuade the other Commissioner to intervene in his specific case. The Panel nevertheless considered that it would be reasonable for members of the public to perceive the emails as an attempt to do so. This is because:

- sending an email to another Commissioner (who was not at the time the Convener), from a personal account, was not the formal or appropriate route for asking for concerns about governance issues to be brought before the board for scrutiny or review;
- a failure to use a formal route removed the opportunity for the Respondent to consider whether he might have a conflict of interest that required to be declared;
- it was not in dispute the Respondent sent the information about his case to the other Commissioner to try to persuade him of the need for a change in how decisions were made, meaning that if the other Commissioner agreed, he could well use the Respondent's case as an example to provide to others;
- the Respondent had been invited to revise or withdraw the application, meaning it could be perceived as being live; and
- an email from the Respondent, that formed part of the subsequent email chain, to the Chief Executive, in which he asked for a response on his specific case, was copied to other Commissioners.

The Panel agreed that the Respondent would have been aware of these points and, therefore, should have been aware that his actions in not following the appropriate procedures could create a perception that he was using his position to seek an advantage or preferential treatment or access. The Panel concluded, therefore, that the Respondent had breached the provision in the Code that requires Members to avoid taking any action that could create a perception that they are using their position as a member to seek an advantage or preferential treatment for themselves or their friends or family.

The Panel also found the Respondent had, on the face of it, been disrespectful towards Crofting Commission staff in certain emails. It found, nevertheless, that in the specific circumstances of the case, a restriction on his right to freedom of expression that a formal finding of breach in this regard would entail, could not be justified.

In determining the sanction to be imposed, the Panel agreed that the Respondent could have raised his concerns about decision-making through the appropriate, formal route without giving rise to any perception that he was using his position to seek a change that could benefit him personally. The Panel was concerned that the Respondent did not appear to have taken steps to distinguish sufficiently between his role as a board member and being a service user, and further had failed to make the capacity in which he was corresponding clear.

The Panel nevertheless noted, in mitigation, that the Respondent had co-operated fully with the investigative and Hearing processes. There was also no evidence of dishonesty, concealment or personal gain. In the circumstances and context, the Panel concluded, on balance, that a censure was the appropriate sanction.

### **Falkirk Council – LA/Fa/3910 - Breach**

At a Hearing held online on 5 June 2025, the Standards Commission suspended, for three months, an elected member of Falkirk Council after he was found to have breached the respect and bullying provisions in the Councillors' Code.

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 the Respondent 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 the Respondent 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 the Respondent 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". The Respondent proceeded to state that he was also considering contacting the police about the matter and would copy in his solicitor should he "be required". The Respondent concluded the email by stating the situation was "scandalous".

The Panel was satisfied that when considered in the context of his earlier email, it was evident the Respondent 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 the Respondent'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.

The Panel accepted fully that the Respondent 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 the Respondent'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 the Respondent, 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 the Respondent 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 the Respondent'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 considered the Respondent's conduct, in making such an implicit threat, amounted to bullying.

In determining the sanction to be imposed, the Panel agreed that the Respondent 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 the Respondent 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.

***Details of the outcome of cases, including full written decisions and information about scheduled Hearings, can be found in the [Cases](#) section of our website.***

For further information on the support we can offer councillors and members of devolved public bodies, please either speak to your Monitoring Officer or Standards Officer, or look for information on our website. Alternatively, please contact us:

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INTEGRITY IN PUBLIC LIFE