



**STANDARDS
COMMISSION**
FOR
SCOTLAND

INTEGRITY IN PUBLIC LIFE



The Standards Commission for Scotland

ANNUAL REPORT 2025/26



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SECTION 1: OVERVIEW AND CONVENER'S INTRODUCTION

Overview

The Standards Commission is an independent body whose 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 comprises a Convener and four Commission Members who are appointed by the Scottish Parliament. The Standards Commission employs four staff (full time equivalent 3.4), led by an Executive Director.

The role of the Standards Commission is to:

- ▶ encourage high ethical standards in public life through the promotion and enforcement of the Codes of Conduct;
- ▶ issue guidance to councils and devolved public bodies; and
- ▶ adjudicate on alleged breaches of the Codes of Conduct, and where a breach is found, to apply a sanction.

The Standards Commission noted, in its Strategic Plan for 2024-28, that its vision was for councillors and members of devolved public bodies in Scotland to uphold the high standards in their behaviour, conduct and decision-making so that:

- ▶ the public has confidence in its local authorities and public bodies; and
- ▶ to help local authorities and public bodies work effectively.

In seeking to achieve this vision, the Standards Commission identified its key objectives were to:

1. Take all opportunities to be a strong and consistent voice for the importance of the key principles of public life and to educate on the standards of conduct expected of councillors and members of devolved public bodies.
2. Continue to develop strong relationships with its stakeholders and work with them to resolve issues and prevent breaches of the Codes of Conduct.
3. Make clear, evidence-based and well-reasoned decisions on cases referred to it for adjudication to help improve standards and ensure any failure to meet those expected by the Codes of Conduct is dealt with in a fair, consistent and proportionate manner.
4. Continue to invest in, engage with and empower its Members and staff to deliver its work effectively and efficiently.

The full Strategic Plan for 2024-28 can be found at: www.standardscommissionscotland.org.uk/corporate-info/strategic-and-business-plans

This report summarises the progress we have made towards delivering and achieving the stated aims in the second year of the plan.

CONVENER INTRODUCTION

I am pleased to present the Annual Report of the Standards Commission for Scotland, which covers the period from 1 April 2025 to 31 March 2026.



At the time of writing this, in May 2026, I have been Convener of the Commission for two years and have two years left to serve.

The Annual Report sets out the work we have completed in the second year of our 2024-2028 Strategic Plan, and I wanted to use this short introduction to mention some of our key achievements, as well as to highlight some of the areas of work which we'll be focusing on in the year ahead. Finally, to make some general comments on the environment in which we are currently working.

Key Achievements

Throughout the year, the Standards Commission continued to support councillors and members of devolved public bodies in Scotland to meet the standards expected of them, by holding training events on the Codes of Conduct and by presenting at workshops and induction events.

We continued to work with the Ethical Standards Commissioner (ESC), the Improvement Service, local authority Monitoring Officers, public body Standards Officers and other key stakeholders to promote the Codes and resolve any queries arising in respect of how their provisions should be interpreted. Our workshops for Standards Officers and Monitoring Officers provide the Standards Commission with valuable feedback and ideas for improvement.

Civility in Public Life has been much on the agenda this last year, and the Standards Commission participated in a roundtable group established by COSLA, aimed at addressing the issue of abuse and intimidation towards councillors. We used the opportunity to promote the message that elected members must lead by example. Poor conduct by councillors towards each other can lower the standard of public debate and be a barrier to those wanting to run for public

office, because prospective candidates can be deterred by perceived disrespectful, intimidating or aggressive behaviour. Poor conduct towards council staff is also on the rise. While this might arise from councillors being faced with difficult decisions, in challenging financial circumstances, such conduct undermines the essential trust between elected members and officers, whilst also having a detrimental impact on staff retention and recruitment.

The Standards Commission publishes Guidance, Advice Notes, standard training presentations, videos and e-learning modules to assist councillors and members in interpreting the provisions in the Code of Conduct. In 2025-26, the Standards Commission issued and published a revised version of its Guidance on the Councillors' Code of Conduct in light of feedback and enquiries it had received, and issues that had arisen during the ESC's investigations and at Hearings. We also produced a new e-learning module for Councillors on Quasi-Judicial and Regulatory Decision-Making, an Advice Note for Independent Councillors and one for Local Authority Chairs.

In terms of our adjudicatory work, the Standards Commission made 68 final decisions, in 2025-26, on cases referred to us by the ESC between 1 April 2025 and 31 March 2026. The decision options available to us at this stage are to take no action, to direct further investigation, or to hold a Hearing.

The Standards Commission held a total of 14 Hearings in 2025-26. Of these, four Hearings were held in respect of cases referred by the ESC before 1 April 2025. Of the 14 Hearings held in 2025-26, five were held online and livestreamed on the Standards Commission's website, with nine Hearings being held in-person and open to the public. Three Hearings on case referrals made on or before 31 March 2026 are scheduled to be held in 2026-27.

Looking Forward

The Standards Commission's Business Plan for 2026-27 outlines the work for the forthcoming year that will contribute to the achievement of the key objectives outlined in our Strategic Plan for 2024-28. A copy of the Business Plan for 2026-27 can be found at: <https://www.standardscommissionscotland.org.uk/corporate-info/strategic-and-business-plans>.

Work to improve standards

The Standards Commission will continue to provide training to the boards of public bodies and elected members of councils on request. We will host further joint webinars with the Improvement Service on specific aspects of the Councillors' Code and will work with both it, and the Open University, to create an online module on the ethical standards framework for elected members. We will run an online session providing information on the requirements of the Councillors' Code for all local authority legal, governance and committee service officers, and one on the Model Code for public body employees.

The Standards Commission will also update our Guidance on the Model Code based on enquiries received, issues that have arisen at Hearings, and feedback. We will produce an Advice Note on relevant aspects of the ethical standards framework for lived-experience members of health and social care integration joint boards.

Increase awareness of the Codes of Conduct

Councillors and members of public bodies are the people at the sharp end. They must abide by the Codes of Conduct that our Parliament has set; interpreting them and relating them to their working lives. While they can seek clarification and support from their Monitoring or Standards Officers, the decisions they make in respect of any aspect of the Codes, and any consequences, rest with them alone. That experience of living with the Codes is of great value to the Standards Commission, helping us to shape and explain the provisions within them. This year, we will carry out a comprehensive survey of councillors, public body members, monitoring and standards officers, to find out more about their experiences, any concerns they have, and any ways in which they think the Standards Commission can better help them.

Poorly informed media reporting has the potential to limit understanding of the ethical standards framework and to damage public confidence in

its value and operation. We will actively engage with local and national media, and Parliament, on current issues arising in respect of the ethical standards framework and how provisions in the Code have been interpreted.

The Standards Commission will hold workshops with Council Monitoring Officers and public body Standards Officers to discuss emerging issues and how best to deal with these. The Standards Commission will invite key stakeholders, including the ESC, Audit Scotland, Scottish Government, the College Development Network and the Improvement Service to these events. We will continue to work with the Ethical Standards Commissioner to develop (as far as possible) a common understanding of how provisions in the Codes should be interpreted.

Adjudication

Fair and transparent Hearings promote confidence in the framework and our processes. We will actively engage with parties beforehand to ensure that everyone is clear on what is relevant and to be considered, that deadlines for providing information are met, and any issues are resolved fairly and promptly.

We will continue to ensure that any Hearings are conducted as efficiently and in the most proportionate manner possible.

Conclusion

In general, this has been a challenging year for the Standards Commission. Limited staffing resources and an increasing workload has placed us under some pressure, and our small staff team has had to deal with a rise in challenging behaviour from service users. I am proud of everything our staff have achieved and the way in which, day after day, they continue to promote our values.

That increase in challenging behaviour has been coupled with a small but growing hostility and resistance to the ethical standards framework and the value of the Codes themselves. The Standards Commission will continue to promote the fact that abiding by the Code never prevents elected Councillors from performing their vital scrutiny role.

Finally, I would like to thank our staff team and my fellow Standards Commission Members for the work they have done this last year and to state that I very much look forward to working with my colleagues and our valued stakeholders to promote the highest ethical standards in Scotland.

Suzanne Vestri, Convener

SECTION 2: ABOUT US

The Standards Commission's vision is as follows:



The Standards Commission's vision is as follows:
For councillors and members of devolved public bodies in Scotland to uphold the high standards in their behaviour, conduct and decision-making so that:

- ▶ the public has confidence in its local authorities and public bodies; and
- ▶ to help local authorities and public bodies work effectively

In pursuing its vision, the Standards Commission will demonstrate the following values:



FAIRNESS

we are objective,
transparent,
consistent and
proportionate



APPROACHABLE

we are inclusive,
collaborative,
respectful
and helpful



LEADERSHIP

we display leadership
by initiating,
advocating, being
agile, delivering; and
by seeking to learn
and improve

SECTION 2: KEY PRINCIPLES

The Ethical Standards Act required Scottish Ministers to issue a Code of Conduct for councillors and a Model Code of Conduct for members of devolved public bodies. The Codes as issued are based around nine key principles, which underpin the standards expected of those in public life.



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.



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.



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.



4

OBJECTIVITY

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



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 public body uses its resources prudently and in accordance with the law.



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.



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.



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.



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.

SECTION 3: IMPACT

Promotion and Education

Introduction

The Standards Commission's Strategic Plan for 2024-28 states that it will have a positive impact on ethical standards in public life by taking all opportunities to:

- ▶ be a strong and consistent voice for the importance of the key principles of public life; and
- ▶ educate on the standards of conduct expected of councillors and members of devolved public bodies.

The Strategic Plan notes it will achieve this aim by:

- ▶ Ensuring material used to train and educate councillors and members of public bodies on best practice and compliance with their Codes of Conduct is accessible, user-friendly and audience targeted.
- ▶ Working with partners, including the Ethical Standards Commissioner (ESC) to:
 - raise awareness of the Codes of Conduct, the standards expected of those in public life and the importance of these, and
 - ensure anyone potentially affected by poor behaviour is confident about reporting this and knows how to make a complaint.
- ▶ Engaging and working with the ESC, MSPs, political parties and others to try to improve behaviours, and to increase understanding of the negative impact of poor conduct and any deterioration in:
 - public trust and confidence in politics and those representing them, and in local government and public bodies;
 - the ability of local authorities and public bodies to work effectively; and
 - representation and willingness to stand for, or remain in, a public role.
- ▶ Obtaining qualitative and quantitative evidence on its work to promote high ethical standards and educate on the Codes of

Conduct, via feedback, surveys and by monitoring progress against key performance indicators, so that it can evaluate its impact in a meaningful way; and develop an evidence-based improvement cycle.

The Strategic Plan further states that the Standards Commission will continue to develop strong relationships with its stakeholders and work with them to resolve issues and prevent breaches of the Codes of Conduct.

The Strategic Plan notes it will achieve these aims by:

- ▶ Seeking and using intelligence gained from discussions, enquiries, feedback and cases to inform best practice and best value, in terms of its approach to educational and training material.
- ▶ Creating and taking all opportunities to collaborate with key stakeholders, including councils, public bodies and the Improvement Service, to promote the ethical standards framework and to provide training on best practice and the requirements of the Codes of Conduct.
- ▶ Making the best use of technology and developing digital content to ensure its training and educational material is as accessible as possible.
- ▶ Being approachable so that stakeholders and service users feel comfortable in contacting the organisation:
 - for assistance in resolving any practical issues that arise as a result of any gaps or tensions in the ethical standards framework, or potential ambiguities in how the Codes of Conduct should be interpreted;
 - to seek advice about the provisions in the Codes of Conduct to avoid any inadvertent breach; and
 - to understand what is required of councillors and members of public bodies to reduce the possibility of needless and unfounded complaints being made.

As outlined below, the Standards Commission had a positive impact on ethical standards in public life in 2025-26 through its engagement with stakeholders, and work to promote and educate on the Codes of Conduct and how their provisions should be interpreted.

Training and Promotional Events

The Standards Commission supported councillors and members to meet the standards expected of them by holding training events on the Codes of Conduct.

In 2025-26, the Standards Commission delivered training events on the Councillors' Code of Conduct for elected members of:

- ▶ Dumfries and Galloway Council;
- ▶ Glasgow City Council; and
- ▶ Stirling Council.

Following receipt of an invitation to do so, the Standards Commission also delivered a training event on the Code to the Scottish Conservative Councillors Association.

In partnership with the Improvement Service, the Standards Commission presented webinars for councillors on:

- ▶ Distinguishing between strategic and operational matters; and
- ▶ Gifts and hospitality

The webinars were open to all elected members and were aimed at assisting attendees understand how best to engage with members of the public, while still complying with the requirements of the Councillors' Code. The sessions were recorded, meaning those who could not attend were still able to view the presentations.

All these sessions were interactive, with attendees asking questions and contributing to discussions on how various provisions in the Code should be interpreted in the everyday situations they were likely to encounter in their role as councillors. Positive feedback was received in respect of all these sessions particularly in terms of improving attendees' understanding of aspects of the Code and how the Standards Commission can support them in their work.

The Standards Commission also delivered training on the Model Code of Conduct for the boards of Clackmannanshire & Stirling Health and Social Care Partnership, Glasgow City Health & Social Care Partnership and Crown Estates Scotland.

The Standards Commission presented on its role and the Model Code at the Scottish Government's 'Welcome on Board' induction workshops for Ministerial appointees in June and September 2025. This included facilitating group discussions, with the ESC, on hypothetical case studies, which allowed attendees to consider and discuss the potential application of the Code's provisions, what matters they should consider and any actions they should take, in the types of scenarios in which they might find themselves.

The Standards Commission's Case Manager also presented a session on the ethical standards framework and the Standards Commission's ongoing and planned work at the SOLAR Autumn Conference in November 2025.

The Executive Director presented on the Model Code to members of the College Sector Governance Professionals Steering Group in May 2025. Attendees provided insight into their experiences in assisting board members in understanding and adhering to the Code's provisions.

The Standards Commission held its annual workshop for Council Monitoring Officers in October 2025. Matters discussed included:

- ▶ Whether any trends in behaviours had been identified and their experiences of compliance by elected members with the Councillors' Code.
- ▶ Whether there had been an increase in disrespectful behaviours towards officers or inappropriate involvement by elected members in operational matters.
- ▶ The right of elected members to access information.
- ▶ Barriers to making complaints about potential contraventions of the Councillors' Code and the extent and effect of sanctions imposed by the Standards Commission following a breach finding.
- ▶ What further work could be done to try to manage public expectations about the Code's requirements and the matters covered by the ethical standards framework.

The Standards Commission produced a video on the role of the Standards Officer in the ethical standards framework for NHS Board Secretaries. The Executive Director also delivered training on the role of a Standards Officer and the key provisions in the Model Code of Conduct for senior staff of the Loch Lomond and Trossachs National Park Authority.

The Standards Commission also held its annual workshop with Standards Officers of devolved public bodies in March 2026. Matters discussed included:

- ▶ Any trends and issues that have arisen in respect of members understanding of, and compliance with, their Codes of Conduct.
- ▶ How to manage effectively the inherent conflicts of interest that arise from the composition of some public body boards.
- ▶ How the Standards Commission can assist with the training and induction of members on their Codes of Conduct.
- ▶ How the chairs of public bodies have a role in ensuring there is a positive culture, which enables constructive and effective scrutiny of performance by members.

The Standards Commission was pleased to note the strong turnout at the workshops and events outlined above. Attendees consistently reported that they found these to be a useful forum for exchanging information about experiences and best practice, and for discussing how high ethical standards and adherence with the Codes of Conduct could be achieved and maintained. The information shared assists the Standards Commission in determining what new or additional training or advice might be required going forward.

In addition:

- ▶ The Convener and Executive Director gave evidence on the Standards Commission's Annual Report for 2024-25 at a Local Government, Housing & Planning Committee meeting in November 2025. Various matters were discussed with the Committee, including how to raise awareness of the Councillors' Code amongst members of the public (and whether there are any barriers to making complaints), how elected members can

scrutinise performance effectively without falling foul of the Code, and the benefits of holding Standards Commission Hearings in-person rather than online.

- ▶ Members of the Standards Commission attended a session with the Scottish Parliamentary Corporate Body (SPCB) in January 2026 to discuss the Standards Commission's priorities and plans, along with the officeholder landscape, funding and shared services.

Educational Material

The Standards Commission publishes Guidance, Advice Notes, standard training presentations, videos and e-learning modules, intended to assist councillors and members in interpreting the provisions in the Codes. These contain case illustrations (some of which are based on cases from Scotland, Northern Ireland and Wales, and some of which are hypothetical) to help councillors and members apply the Codes' provisions to the situations they may find themselves in, along with examples of factors they may wish to consider when applying their requirements. All educational material is available on the Standards Commission's website.

The Standards Commission issued and published a revised version of its **Guidance on the Councillors' Code of Conduct** in 2025-26 in light of feedback and enquiries it had received, and issues that had arisen during the ESC's investigations and at Hearings. The main changes were the:

- ▶ Inclusion of further information on the section concerning the use of social media.
- ▶ Addition of information confirming that anyone can make a complaint to the ESC about a potential breach of the Code and that elected members should not ask council officers to make or support a complaint as doing so could compromise their political neutrality. In addition, officers may have to continue to work with the councillor who is the subject of the complaint while it is being investigated.
- ▶ Inclusion of information about being employed by a MP or MSP in the section on identifying and managing interests.

Following a consultation with stakeholders, the Standards Commission produced and published a new **Advice Note for Independent Councillors**. The Advice Note aims to provide guidance to independent (non-political party affiliated) councillors on their responsibilities under, and how to seek assistance with, any aspect of the ethical standards framework. While the guidance in this Advice Note is relevant to all councillors, it has been developed specifically with independent members in mind. This is because they are unlikely to have access to the advice and peer support normally available to those representing a political party.

The Standards Commission also produced and published a new **Advice Note for Local Authority Chairs**. The Advice Note aims to provide guidance to local authority Chairs and Conveners on their role and responsibilities within the ethical standards framework. It is primarily intended to assist those who chair full Council Committee and Sub-Committee meetings and those who, from time to time, deputise for them.

The Standards Commission continued work to educate the public on the ethical standards framework. It produced a **Card for councillors who have been appointed or nominated by their Council to a Health and Social Care Integration Joint Board (IJB)**. The Card is intended to assist them in managing their constituents' expectations in terms of what they can and cannot do, when acting as a member of the IJB. For example, it notes that councillors can inform the IJB about the Council's policies and priorities. However, when acting as a member of an IJB and attending its meetings, they have a duty to act in the best interests of the IJB.

In addition, the Standards Commission produced and published on its website a **new e-Learning module for councillors on Section 7 of the Councillors' Code**, which covers their conduct when they make decisions on quasi-judicial and regulatory matters, such as planning and licensing applications. The module includes a true and false quiz aimed at helping councillors check they have understood the Code's requirements. It can be found on the E-Learning Modules and Videos page of the website.

In light of discussions held with councillors at training events and Monitoring Officers at the

workshop noted above, the Standards Commission also amended its **Advice Notes** on the following topics to include further information and examples:

- ▶ Distinguishing between Strategic and Operational Matters;
- ▶ The Right of Access to Information;
- ▶ The Use of Social Media;
- ▶ The Role of the Monitoring Officer; and
- ▶ How to Identify and Declare Interests.

The Standards Commission continued to seek feedback on its promotional and educational work throughout the year, to help it evaluate its impact in a meaningful way. Following receipt, all feedback provided was considered by Standards Commission Members at the next Standards Commission meeting. This feedback confirmed that councillors, members, council officers and public body employees find the Standards Commission's educational material and, especially case examples included in these, helpful in aiding their understanding of how the Codes of Conduct should be interpreted and applied.

In 2025-26, the Standards Commission continued to promote the Codes and ethical standards framework by publishing blogs and news articles on its website and via social media posts on its work and the standards expected of councillor and members. These covered a range of topics, such as how councillors and members can scrutinise performance effectively; why civility in public life matters; and why it is important for members of public bodies to abide by the principle of collective responsibility. In addition, the Standards Commission published a series of 'meet our members' blogs, in which its members outlined what they enjoyed and found most challenging about the role.

The Standards Commission continued to disseminate and publish quarterly 'Standards Update' briefings, which contained information about work it was undertaking, events it was holding and general matters concerning the ethical standards framework. The Standards Updates also included information about cases referred to the Standards Commission, including the outcome and any learning points from all Hearings held.

Enquiries

The Standards Commission responded to all enquiries timeously, with responses to 96% of enquiries being provided on the same day of receipt or within one working day, which was well within the timescales detailed in its Service Charter. It responded to 100% of enquiries within 5 working days. The Standards Commission issued at least three social media posts a week on both Facebook and LinkedIn.

In March 2026, the Standards Commission conducted its annual review of the enquiries it had received throughout the year in writing, by telephone, and via its website and social media sites, with the aim of using the resulting analysis to inform content in its educational and promotional material.

Other Stakeholder Engagement

The Standards Commission continued to work closely with the ESC in 2025-26 to identify and try to resolve issues arising in respect of the interpretation of the Codes. The Standards Commission's Executive Director held regular meetings with the ESC to discuss suggestions for improving the processes for the investigation and adjudication of complaints about councillors and members of devolved public bodies, in order to achieve efficiency, transparency and consistency in decision-making. The Standards Commission also engaged with the ESC on any proposed changes to its case-related policy and process documents, and on its educational material. In addition, Standards Commission Members held two formal meetings with the ESC during the year, to exchange information about work being undertaken by their respective offices, future plans and any issues and challenges that had arisen.

In 2025-26, the Standards Commission also strengthened the positive working relationships it enjoys with other stakeholders, including the Improvement Service, COSLA, SOLAR, Audit Scotland and the Scottish Government's Public Bodies Unit and Local Government Team. This included engaging with them on a regular basis to share information about trends, ongoing cases and work being undertaken. The Standards Commission also continued to consult with its stakeholders on its plans and any proposed changes to its educational material and adjudicatory processes.

The Standards Commission participated in a Roundtable group established by COSLA, aimed at addressing the pressing issue of targeted abuse and intimidation towards elected members. Attendees included the Cabinet Secretary for Finance and Local Government, and representatives from the public and third sectors, policing, academia and the media. The Standards Commission used the opportunity to promote the message that elected members should lead by example. This is because poor conduct by elected members can lower the standard of public debate and can be a barrier to public office (with prospective candidates being deterred by perceived disrespectful, intimidating or aggressive behaviours).

The Standards Commission also engaged separately with the Jo Cox Foundation. It agreed to promote the Civility Pledge and to work together to demonstrate the importance of respect in politics and explain how this promotes informed debate and encourages participation in public life. Under the Civility Pledge, candidates undertake to:

- ▶ Use a civil and constructive tone in debate.
- ▶ Act with integrity, honesty and compassion.
- ▶ Behave respectfully towards others, including those with whom they disagree.

Throughout the year, the Standards Commission also contributed to a working group established by the UK Government to work on a range of measures to strengthen the standards and conduct regime for local authorities in England. The Standards Commission did so by sharing information about its own remit and procedures, as well as its experiences of the ethical standards framework in Scotland.

In addition, the Standards Commission participated in a working group established by the Scottish Government, which aimed to refresh the Integration Joint Board: Roles, Responsibilities and Membership: Statutory Guidance to account for Scottish Ministers' intention to extend Health and Social Care Integration Joint Board voting rights to lived experience members, as well as wider developments that had occurred since its initial publication in 2015.

The Executive Team shared information about trends, ongoing cases and good practice with the Local Government Commissioner for Standards in Northern Ireland and the Public Services Ombudsman for Wales.

The Standards Commission continued, in 2025-26, to promote its adjudicatory work by publishing information about all Hearings held, and 'no action' decisions taken, on its website and in its quarterly Standards Updates. The Standards Commission contacted local journalists to advise them of scheduled Hearings. It also issued and published press releases summarising decisions made and the reasons for these, following the conclusion of each Hearing. The result of this was that the outcome of almost all Hearings was reported in the local and sometimes national press, thereby supporting a wider awareness of the work of the Standards Commission in promoting and supporting high ethical standards in public life.

Proposed Amendments to the Ethical Standards Framework Legislation

The Ethical Standards in Public Life etc. (Scotland) Act 2000, which introduced the ethical standards framework and Codes of Conduct for councillors and members of devolved public bodies in Scotland, was one of the first acts passed by the Scottish Parliament. In advance of the 25th anniversary of its enactment, the Standards Commission and ESC conducted a joint review of its provisions and identified some amendments that could be made to improve or strengthen the framework. The Standards Commission and ESC then consulted with stakeholders on these proposals before sending a joint letter to Scottish Ministers in September 2024 asking for the Act to be reviewed in light of the suggested amendments.

While a response was received advising there would not be any suitable legislative vehicle to take forward any amendments to the legislation in the current Parliamentary term, the Standards Commission engaged with the Scottish Government in 2025-26, to try and ensure there was clarity over the proposals and what it was hoped they would achieve, if agreed.

SECTION 4: ADJUDICATION

Introduction

The Standards Commission's Strategic Plan for 2024-28 states that it will make clear, evidence-based and well-reasoned decisions on cases referred to it for adjudication to help improve standards and ensure any failure to meet those expected by the Codes of Conduct is dealt with in a fair, consistent and proportionate manner.

The Strategic Plan notes the Standards Commission will achieve this aim by:

- ▶ Ensuring Members and staff receive full training on:
 - the Codes of Conduct;
 - relevancy of material, evidence and submissions and how to weigh and assess evidence; and
 - good practice in decision-making and in conducting and managing Hearings.
- ▶ Seeking and analysing feedback to review and, where applicable, improve all adjudication-related policies, processes and practices.
- ▶ Reviewing and suggesting changes to the governing legislation so that it can deal with breaches of the Codes of Conduct in the most effective and proportionate manner.
- ▶ Using digital technology to ensure information about Hearings, case decisions and any learning points from these, including the impact or potential impact of the conduct being considered, are published and disseminated as widely as possible.

Work undertaken by the Standards Commission in 2025-26 towards this aim is outlined later in this section.

Adjudication Procedures

Case Referrals

On receipt of the case referral from the ESC, following the conclusion of his investigation into any complaint about a councillor or a member of a devolved public body (known as the Respondent), the Standards Commission has three options,

under Section 16 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the 2000 Act). These are to:

- ▶ direct the ESC to carry out further investigations;
- ▶ hold a Hearing; or
- ▶ do neither (i.e., to take no action).

The Standards Commission has published a policy outlining the factors it will consider when making such a decision on a report referred by the ESC. The Standards Commission will hold a Hearing to adjudicate on the case if it considers it is in the public interest and proportionate to do so.

The Standards Commission will direct the ESC to carry out further investigation if it considers:

- ▶ it is unclear from the referral report what the ESC's findings or conclusions are, including which sections of the Code may have been breached and why; or
- ▶ there are potentially material facts that have not been sufficiently explored or that insufficient attempts have been made to obtain and analyse evidence that may have a direct bearing on the question of whether there has been a breach of the applicable Code; or
- ▶ it is not satisfied that all aspects of the complaint that could amount to a breach of the Code have been investigated and covered in the report.

The Standards Commission will 'do neither' (i.e., it will decide not to hold a Hearing or direct further investigation be undertaken), following receipt of a referral from the ESC, if it concludes that further investigation is not required, and that it may not be in the public interest or proportionate to hold a Hearing.

The Standards Commission will write to the Respondent, the ESC, the Chief Executive of the relevant council or devolved public body (copied to the Monitoring Officer or Standards Officer), and the individual or individuals who made the complaint to advise them of its decision in respect of the referral.

Section 24 of the 2000 Act provides that the Standards Commission, on receiving a report from the ESC about an investigation into a complaint about an employee or *ex officio* member of a devolved public body, shall send that report to the devolved public body. An *ex officio* member is one who is a member of a devolved public body by virtue of them holding office in another organisation. The Standards Commission has published a policy outlining how it will normally proceed on receipt of such a report. Essentially, the Standards Commission will prepare and publish, on its website, an anonymised summary of the complaint and the ESC's findings, along with any advice for members of devolved public bodies it deems appropriate. The Standards Commission will send copies of its summary to the Respondent, Complainer, and ESC and will advise them that the ESC's report has been sent to the Chief Executive of the devolved public body.

Hearings

The Standards Commission holds Hearings to determine whether the Respondent has breached their Code of Conduct and, if so, to determine the sanction to be applied. Hearings are usually held in public at the headquarters of the Respondent's council or public body. The Standards Commission may decide to hold the Hearing online; for example, in cases where it appears there is little dispute between the parties and no witnesses (other than the Respondent) are to be called. The Standards Commission will normally livestream, on its website, any Hearings that are held online.

Sanctions

The sanctions available to the Standards Commission if it determines, at a Hearing, that a breach of a Code of Conduct has occurred are:

- ▮ censure;
- ▮ suspension; and
- ▮ disqualification.

Having found a breach, the Standards Commission is obliged, under Section 19 of the 2000 Act, to impose a sanction. The Standards Commission has published a policy outlining the factors it will consider when deciding the sanction to be imposed. A copy of the policy can be found on the [Standards Commission's website](#).

A censure means the Standards Commission recognises the Respondent has breached the Code and formally records its severe and public disapproval of the Respondent's conduct.

A suspension can be full or partial, and can be for a period of up to one year. A full suspension means that the Respondent is not entitled to attend any meetings of the council or devolved public body, any of its committees and sub-committees, and any meetings of any other body of which the Respondent is a representative or nominee of the council or devolved public body. The Standards Commission has produced Rules on the extent of the activities in which a councillor can engage while they are subject to a period of full suspension (either on the finding of a breach of the Councillors' Code of Conduct at a Hearing or as an interim measure while an investigation about their conduct is ongoing). The Suspension Rules can be found on the [Standards Commission's website](#).

A partial suspension means that the Respondent is not entitled to attend certain specified meetings or committee meetings of the council or devolved public body. For example, they may be suspended from meetings of a council's licensing committee for a period of three months.

In cases where the Respondent is a councillor, disqualification means they are prohibited for a period, not exceeding five years, from being a councillor and from being nominated for election or being elected as a councillor. This has the effect of vacating that councillor's office.

In cases where the Respondent is a member of a devolved public body, disqualification means they are removed from membership of the body and are prohibited from being a member of the body, for a period not exceeding five years. The Standards Commission, on removing and disqualifying a member from one specific devolved public body, can also direct that the individual is removed and disqualified from any other devolved public body of which they are a member.

Article 10 of the European Convention on Human Rights

An individual's right to freedom of expression is protected by Article 10 of the European Convention on Human Rights, which is enshrined in UK law. Freedom of expression is a general term covering a person's right to hold opinions, or to receive or share information or ideas. The right to freedom of expression under Article 10 is not, however, an absolute right. Article 10(2) notes that public authorities, such as the Standards Commission, may restrict an individual's right to freedom of expression in certain circumstances if they can show that such a restriction is lawful, necessary and proportionate. Circumstances where such a restriction may be lawful, necessary and proportionate can include:

- ▶ to protect the rights and reputations of others (it may be necessary, for example, to protect council or public body employees from offensive and abusive verbal attacks that prevent them from performing their duties);
- ▶ to prevent the disclosure of confidential information; and
- ▶ if the views expressed encourage racial or religious hatred.

The Standards Commission will consider whether Article 10 might afford protection when it is deciding whether it is in the public interest and proportionate to hold a Hearing, in respect of any cases alleging a breach of the respect, courtesy, bullying and harassment or confidentiality provisions in the applicable Code.

In determining at Hearings whether there has been a breach of the Code in such cases, the Standards Commission will take a three-stage approach and consider:

1. Whether, on the face of it, the Code has been breached.
2. If so, whether such a finding, and the imposition of a sanction, could be a breach of the Respondent's right to freedom of expression under Article 10.
3. If so, whether the restriction involved by the finding is justified by Article 10(2). It should be noted that a restriction may still be justified even if the Respondent enjoys the enhanced

right to freedom of expression afforded to those engaged in political speech or in debates on matters of public interest.

Appeals

Appeals can be made, under Section 22 of the 2000 Act, to the Sheriff Principal of the sheriffdom in which the relevant council or devolved public body has its principal office, against any decision made by the Standards Commission to:

- ▶ find a breach of a Code of Conduct;
- ▶ impose a suspension or disqualification, as a result of the finding of breach; and
- ▶ impose an interim suspension (see below).

Interim Suspensions

Section 21 of the 2000 Act provides the Standards Commission with the power to impose an interim suspension on a councillor or member of a devolved public body following receipt of an interim report from the ESC about an ongoing investigation. In determining whether to impose an interim suspension, a Panel of the Standards Commission will consider:

- ▶ whether the allegations being investigated by the ESC could potentially amount, if established, to a breach of the applicable Code of Conduct; and
- ▶ whether the further conduct of the ESC's investigation is likely to be prejudiced if such an action is not taken; or
- ▶ that it is otherwise in the public interest to take such a measure.

Any decision by the Standards Commission to impose an interim suspension is not, and should not be seen as, a finding on the merits of any complaint or the validity of any allegations against a councillor or member of a devolved public body; nor should it be viewed as a disciplinary measure. Information about any decisions made under Section 21 of the 2000 Act, and the policy outlining how the Standards Commission makes any decision under that section, can be found on the [Standards Commission's website](#).

Dispensations

Both the Councillors' and Model Codes of Conduct outline the circumstances in which a councillor or member of a devolved public body would be required to declare a financial or non-financial interest and withdraw from any discussion and voting in respect of any matter to which that interest relates.

In some very limited circumstances dispensations may be granted by the Standards Commission in relation to the existence of financial and non-financial interests which in terms of the Codes would otherwise prohibit participation in discussion and voting. Such a dispensation would allow the councillors or members concerned to continue discussing and voting on the matter, where it is deemed to be in the public interest that they be allowed to do so.

Publishing Decisions

The Standards Commission seeks to ensure that all stakeholders, including members of the public, have easy access to high-quality information about the organisation and its adjudicatory work.

The Standards Commission publishes information on its website about adjudication procedures and how it makes decisions on cases that have been referred by the ESC. Information that is published includes the Hearing Rules and all case-related policy and procedure documents.

The Standards Commission publishes:

- ▶ Written records of the decision and reasons for the decision on 'do neither' cases.
- ▶ Information about forthcoming Hearings, including the name of the Respondent, the name of the Respondent's Council or public body, and the Hearing date, time and venue.
- ▶ Written records of the decision and reasons for the decision made at each Hearing in respect of the alleged breach and, if applicable, the sanction applied.
- ▶ Press releases summarising decisions made at Hearings;
- ▶ A link to the livestream of the Hearing if it is to be held online.
- ▶ Written records of the decision and reasons for the decision made in respect of any interim reports received from the ESC (which are anonymised in instances where it was decided not to impose an interim suspension).
- ▶ Written records of the decision and reasons for the decision made in respect of any requests for dispensations made by, or on behalf of, councillors or members, which are anonymised in instances where the decision is taken not to grant a dispensation.

Copies of the case-related policies and Rules, referred to in this section, can be found on the [Standards Commission's website](#).

Work Undertaken in 2025-26

Following the making, issuing and publishing of a 'no action' or Hearing decision, the Standards Commission reviewed the case at the next Standards Commission meeting, to check that its decision was well-reasoned, consistent and clear, and to identify any potential learning points in respect of how the referral and adjudication process was managed. The Standards Commission seeks feedback from the parties and any witnesses after all Hearings and any provided is also considered at the following meeting.

The Standards Commission also undertook, in April 2026, a full annual review of all decisions made, and feedback received, in respect of case referrals and Hearings in the previous year (2024-25), to identify any learning points and potential improvements to its case related policies and procedures and standard documents.

In 2025-26 all Standards Commission Members attended a development session on best practice in applying sanctions at Hearings (following a finding of a breach of a Code). This included refresher training on the factors that could and should be considered, and how to assess and weigh these. As part of the session, Members reviewed the sanctions applied by the Standards Commission in the previous year to assess consistency and identify the types of specific considerations that arise at Hearings. Members also considered decisions from analogous jurisdictions for benchmarking purposes.

Following these reviews, the Standards Commission amended its Hearing Rules to ensure that Hearings were conducted as efficiently and proportionately as possible. In particular, the provisions were amended to provide more clarity on the scope and purpose of pre-Hearing meetings, being to:

- ▶ advise parties of the Panel's expectation in terms of the time allowed for questioning and cross-examination of any witnesses, and the making of submissions on whether there has been a breach of the Code;
- ▶ identify whether any agreement can be reached in respect of factual matters that are not in dispute; and

- ▶ answer any queries and advise parties of the Panel's expectation about what is likely to be admissible as relevant, in terms of both witness evidence and submissions.

It was noted that Respondents do not, as a matter of practice, call witnesses to lead evidence at the mitigation stage (after the Panel as found a breach, but before any decision on sanction is made), and as it was agreed it would be disproportionate for them to do so. As such, the Rules were also amended to provide that only written representations should be provided by any witnesses in respect of mitigation, should a Respondent wish to add anything over and above any verbal submissions made.

The Hearing Rules were then further amended in March 2026 to note that parties may be asked to provide an explanation of why they consider a document that they wish added to the productions to be considered by the Hearing Panel to be relevant, if this is felt this is unclear. The Rules were strengthened to make it clear that a Panel may decide not to accept any proposed productions or case law it considers to be not directly relevant or material to the matters that are the subject of the Hearing and the question of whether the Respondent has breached the applicable Code as alleged.

Having undertaken some comparative research on analogous organisations' adjournment policies and reviewed relevant recent case law on adjournment requests, the Standards Commission also revised its Adjournment Policy in 2025-26. This included outlining that while a Hearing Panel may, at its own discretion or on the application of any of the parties, postpone or adjourn a Hearing, the starting presumption is that all Hearings will proceed as scheduled by the Standards Commission. The list of factors a Panel will consider when determining whether to adjourn a Hearing was also updated to include the potential impact of the adjournment on the quality or availability of evidence.

In addition, the Standards Commission reviewed and updated its Interim Suspension Policy to clarify and simplify the process to be followed when an interim report was received from the ESC.

Following receipt of feedback and having consulted with stakeholders, the Standards Commission added more information to its Suspension Rules, which outline the activities in which a councillor can and cannot engage, in that capacity, during any period of suspension. The Suspension Rules cover the activities of a councillor where a period of full suspension has been imposed (either on the finding of a breach at a Hearing), or as an interim measure under Section 21 of the 2000 Act.

The Standards Commission made some minor amendments to its Guidance on the Relevancy of Evidence and Policy on Pre-election Case Referrals,

to clarify some wording and reflect current practice.

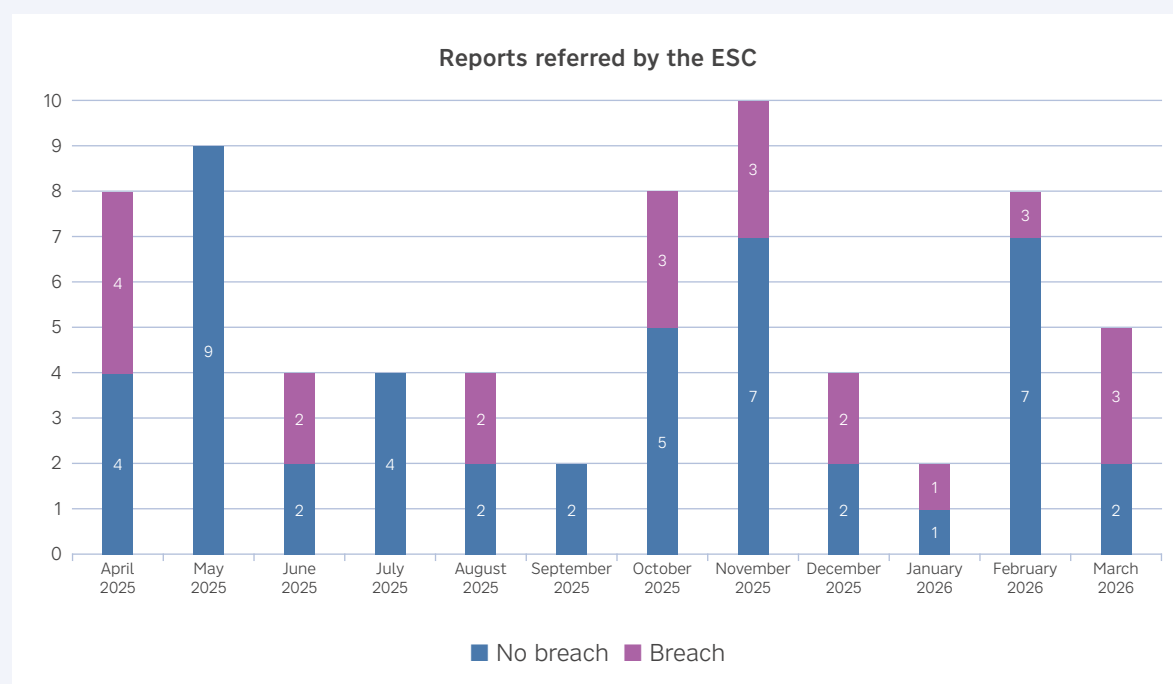
The revised versions of all policies and process documents noted above were published and can be found on the Standards Commission's website.

In 2025-26, the Standards Commission produced and published, on its website, a video on the Complaints Process, which is aimed at helping all those involved (Respondents, Complainer and potential witnesses) understand the different stages of the process and what might be expected of them at each.

Decisions made by the Standards Commission in 2025-26

Referrals

The ESC referred 68 cases to the Standards Commission between 1 April 2025 and 31 March 2026. The number and timings of referrals made by the ESC, by month, are outlined in the graph below.



The Standards Commission made decisions on all 68 cases referred to it between 1 April 2025 and 31 March 2026. A breakdown of the 68 decisions can be found in the table below.

Decision	No. of cases resulting in a decision	Category of respondents involved in the cases*	
		Councillors	Members
Hold a Hearing	13	11	2
Do neither	55	54	1
Report referred to devolved public body under Section 24	0	0	0
TOTAL	68	65	3
Direct the ESC to carry out further investigations with one subsequent decision to Hold a Hearing and two decisions to do neither (included in total above)	3	3	0

* In some cases there was more than one Respondent. One Hearing concerned two councillors. In addition, some 'do neither' decisions concerned more than one councillor.

Hearings

The Standards Commission held a total of 14 Hearings between 1 April 2025 and 31 March 2026. Four of these Hearings were held in respect of cases referred by the ESC in the previous year (between 1 April 2024 and 31 March 2025).

Three Hearings on case referrals made on or before 31 March 2026 were scheduled to be held in 2026-27.

Of the 14 Hearings held in 2025-26, five were held online and were livestreamed on the Standards Commission's website. Nine Hearings were held in-person.

The table below outlines the decisions made at the 14 Hearings held in 2025-26.

Hearing Decisions

Decisions	No. of Hearings	No. of respondents involved in Hearing(s)
Finding of breach*	11	12
Finding of no breach due to Article 10**	2	2
Finding of no breach	1	1
TOTAL	14	15

* A finding of breach is recorded in the table above if the Panel found a breach in relation to at least one issue of complaint.

** A finding of no breach due to Article 10 is recorded in the table above if the Panel found:

- in respect of any issue, that the Respondent's conduct amounted, on the face of it, to a breach of the applicable Code, but an overall finding of no breach and the imposition of a sanction was not justified in light of the Respondent's right to freedom of expression under Article 10 of the ECHR; and
- no other breach of the Code had been established.

Sanction decisions

The table below outlines the sanctions imposed by the Standards Commission at the Hearings held between 1 April 2025 and 31 March 2026.

Sanction	No. of Hearings	No. of respondents involved in Hearings
Censure	2	3
Suspension – full	8	8
Suspension – partial	1	1
Disqualification	0	0
No breach and, therefore, no sanction	3	3
TOTAL	14	15

Interim Suspension Decisions

The Standards Commission received one interim report referral from the ESC in 2025-26.

The initial interim report concerning a complaint about the conduct of a Dumfries and Galloway councillor was received at the end of July 2025. The ESC advised that he had accepted multiple issues of complaint for investigation, concerning the Respondent's conduct towards Council officers, and allegations that he became inappropriately involved in operational matters, sought preferential treatment and attempted to pressure officers in order to circumvent quasi-judicial and regulatory processes.

A Panel of the Standards Commission noted that while the allegations had not yet been fully investigated by the ESC and, as such, were unsubstantiated, they were wide ranging and covered numerous different aspects and provisions in the Code. While the Panel accepted that imposing an interim suspension could potentially have a negative impact on the councillor's reputation, the Panel considered the allegations were of such an extensive and serious nature that, if true, they would have had a significant detrimental impact on the Council.

Based on the information available, the Panel was also concerned that the councillor may try to interfere with, or take steps against, potential witnesses if he was allowed to continue as an

elected member while the investigation into the complaint made against him was ongoing. The Panel was satisfied, therefore, that the further conduct of the ESC's investigation was likely to be prejudiced if an interim suspension was not imposed. The Panel further noted the potential for behaviour that could amount to a breach of the Code to continue during the course of the investigation, and identified a clear possibility of ongoing harm, stress and anxiety to the Complainer and other officers and potential risks to the Council if the alleged conduct continued.

Taking the above factors into account, the Panel determined in early August 2025 that it was in the public interest and proportionate to impose, under Section 21 of the 2000 Act, an interim suspension for a period of three months to mitigate against the above risks, in order to protect others and enable the Council to function effectively. Having received updates from the ESC on his investigation, the Panel renewed the interim suspension for a period of three months in November 2025, and again in February 2026.

The interim suspension was then discontinued in March 2026 after the ESC confirmed he had ingathered the information he considered necessary for his investigation. The Panel agreed, therefore, that it was unlikely the ESC's investigation would be prejudiced if the interim suspension was discontinued. The Panel noted that its initial decision took into account the

possibility of risks to others, as well as the Council in general if the alleged conduct continued. The Panel recognised that, while such risks remained, this needed to be balanced with the requirement to be fair to the councillor in question.

Appeals

An appeal was lodged in October 2025 against a decision made by the Standards Commission in respect of the decision made, at a Hearing on 5 August 2025, to suspend an Aberdeen City Councillor for four months (case reference LA/AC/3994). As the Sheriff Principal Aberdeen for Aberdeen City Sheriff Court was due to retire and the new one was not due to take up the post until March 2026, the appeal had not been heard or determined by the year-end.

An appeal was lodged in March 2026 against a decision made by the Standards Commission in respect of the decision made, at a Hearing on 10 February 2026, to suspend a member of Loch Lomond and the Trossachs National Park Authority for six months (case reference NPA/LLT/4184). The appeal had not been heard or determined by the year-end.

Dispensations

Following a request to do so, the Standards Commission granted a dispensation, in April 2025, to allow Scottish Funding Council (SFC) board members who are engaged with the further and higher education institutions and other institutions or organisations the SFC funds, which are related to the further and higher education sectors, in the following ways:

- as Members and / or Chairs of university and college Courts or Boards;
- as employees of universities and colleges
- as having honorary professorships, fellowships, are fellows, or other similar roles;
- as a Principal/Vice Chancellor of a university or college;
- as Members of university and college committees;
- engaged as contractor working for universities and colleges, to enable them to take part in discussions and decision-making that could affect the

organisation or institution, without being required to declare an interest as someone engaged with the organisation or institution in the capacity outlined above.

The Standards Commission was of the view that it was within the spirit and intent of the Model Code of Conduct for Members of Devolved Public Bodies to grant the dispensation. In reaching this decision, the Standards Commission considered that any potential personal benefit to individual Members, or any perception of such, would be outweighed by the clear public interest in the SFC being able to benefit from their experience and expertise. The Standards Commission notes that the SFC's Finance Committee considers any more detailed, commercially sensitive information about the institutions it funds and provide advice to its Board, enabling the Board to focus on the key strategic issues.

The Standards Commission notes that SFC Members would still be required to declare any additional personal interests, in accordance with the SFC Members' Code of Conduct. The Code also requires SFC Members to act in the SFC's best interests, to maintain confidentiality and adhere to the principle of collective responsibility when acting as a SFC member.

Copies of all dispensations can be found on the [Standards Commission's website](#).

Timescales

Do Neither

Where the Standards Commission made the decision to ‘do neither’ on reports referred by the ESC, the average time between receipt of those reports and the issuing of the Standards Commission’s written decisions in 2025-26 was 2 days.

For the purposes of calculating the average timescale, in cases where the Standards Commission directed further investigation, the date of receipt of the report was deemed to be the date on which the report on the further investigation was referred.

Direct Further Investigation

The table below outlines the timescales involved in making decisions to direct further investigation on reports referred by the ESC in 2025-26.

Further investigation timescales

Report Reference	Date first report received from ESC	Date of written decision to direct further investigation	Time taken between report received and direction issued (weeks)	Date second report received	Date final decision on referral made
LA/WL/3903	17/04/2025	25/04/2025	1	08/08/2025	13/08/2025
LA/H/4028	23/04/2025	28/04/2025	1	24/07/2025	28/07/2025
LA/G/4115	21/05/2025	26/05/2025	1	29/08/2025	02/09/2025

The average time between a report being received from the ESC and the Standards Commission issuing a written decision to direct further investigation was 5 days.

Hearings

The Standards Commission usually aims to hold Hearings no earlier than six weeks, and no later than 12 weeks, after the date on which the decision to hold a Hearing is made. This timescale allows sufficient notice to be given to the parties (being the ESC and the Respondent) and anyone else who wishes to attend or observe the Hearing (including the media and members of the public). It also allows the parties time to prepare, which includes submitting any relevant and material evidence, and asking witnesses to appear.

The Standards Commission has to consider and balance a number of factors when scheduling Hearings. These include the availability of its part-time Members (three of whom form the Hearing Panel), the parties and suitable premises (if the Hearing is to be held in-person). In addition, as the Standards Commission only employs four members of staff (full-time equivalent 3.4), it has to allow a sufficient gap between Hearings in order for the team to prepare fully for each.

The Rules provide that a Panel may, at its own discretion or on the application of any of the parties, postpone or adjourn a Hearing. Before any postponement or adjournment is granted, the Panel will consider both the public interest in the expeditious disposal of the case, and any inconvenience or prejudice to the parties and to witnesses. In making such a decision, the Panel will also be mindful of the fact that delays to Hearings can lead to the quality of available evidence being eroded, as memories can fade with time. A policy outlining how the Standards Commission deals with adjournment requests and the factors it will consider in deciding whether the request should be granted can be found on the [Standards Commission’s website](#).

Information about the timescales involved in the Hearings held in 2025-26 is outlined in the table below.

Report Reference (s)	Date referral received	Date of decision to hold a Hearing	Hearing Date	Time between date of decision to hold a Hearing and start of Hearing (in weeks)
LA/H/3969	06/08/2024	06/01/2025	15/04/2025	10*
NB/CC/3976	25/02/2025	04/03/2025	30/04/2025	6
LA/Fa/3910	03/03/2025	04/03/2025	05/06/2025	10*
LA/AC/3994	26/03/2025	31/03/2025	05/08/2025	13*
LA/As/4024	04/04/2025	08/04/2025	01/07/2025	9
LA/An/4168	14/04/2025	16/04/2025	17/07/2025	10
LA/H/4028	23/04/2025	28/07/2025	04/11/2025	10
LA/NA/4086	27/05/2025	30/05/2025	30/07/2025	6
LA/AB/4081	03/07/2025	07/07/2025	07/10/2025	10*
LA/AB/4147	07/08/2025	08/08/2025	23/10/2025	8
LA/G/4203	29/08/2025	02/09/2025	02/12/2025	9
NPA/LLT/4184	17/10/2025	21/10/2025	10/02/2026	12
LA/DG/4041	20/10/2025	21/10/2025	03/02/2026	11
LA/E/4130	28/11/2025	02/12/2025	11/03/2026	10

The average time taken between the Standards Commission making a decision to hold a Hearing and the start of Hearings was 10 weeks.

*Hearing date was changed following an adjournment request from one of the parties.

SECTION 5: GOVERNANCE & FINANCIAL OVERVIEW 2025-26

This section provides an overview of the Standards Commission's governance arrangements in 2025-26 and its financial performance.

External Audit

Audit Scotland reported on its review of the Standards Commission's governance arrangements and audit of the Standards Commission's 2025-26 annual report and accounts. Audit Scotland's review identified one key audit risk, which required specific audit testing. This was the consideration of the risk of management override of controls in order to change the position disclosed in the financial statements.

Audit Scotland's main findings were that the Standards Commission had effective and appropriate arrangements in place for securing financial sustainability and Best Value.

The Audit Report confirmed that the audit procedures did not uncover evidence of management override of controls. The Audit Report further confirmed that the financial statements were free from material misstatement and there were no significant findings or key matters to report.

The 2025-26 Audit Report will be incorporated in the Standards Commission's audited Annual Accounts, which require to be laid before the Scottish Parliament no later than 31 December 2026.

Internal Audit

The Standards Commission's internal auditor, the Scottish Parliament Corporate Body's (SPCB) Head of Internal Audit, reviewed how the Standards Commission conducted Hearings, with a focus on providing assurance that the controls and actions documented in the Hearing Rules and Guidance could be evidenced.

The internal auditor reported that, based on the audit work performed, he was able to offer a substantial level of assurance is offered over the systems, controls and process in place with

regards to the Hearing Rules and Hearings process. Two recommendations arising from the review were identified and assessed as being low priority. Both will be actioned in 2026-27.

Risk Management

The Standards Commission identifies and proactively manages risks that could impact on its ability to meet its strategic and business objectives. The Standards Commission's Risk Management Policy provides details of the organisation's approach to the management of risk and notes that the aim of the risk management framework is to:

- ▶ provide the Standards Commission and others with assurance that threats are constrained and managed and that opportunities are appropriately exploited to the benefit of the organisation;
- ▶ give confidence to those who scrutinise the Standards Commission about the robustness of its corporate governance arrangements; and
- ▶ enable the Standards Commission to make informed decisions across its functions.

The Standards Commission agreed its Risk Register at the start of the operational year to ensure that risks to the implementation of the strategic and operational objectives were identified going forward. The Risk Register contained a score for each risk, which reflected the likelihood of it occurring and the impact should it occur, in light of the controls in place and actions taken.

The Standards Commission's Audit & Risk Committee reviewed the Risk Register, including the rating value for each risk and the risk tolerance level at each of its three meetings in 2025-26. A report of the review was thereafter provided for consideration by Members at the next available meeting of the Standards Commission.

During 2025-26, the Standards Commission identified the principal risks and uncertainties for the organisation as, firstly, that the Standards Commission would have insufficient resources in terms of staff time and knowledge, and Members' knowledge, time and availability, to meet its business objectives and comply timeously with its statutory duties and any reporting requirements.

The second key risk identified was that the Standards Commission would fail to obtain best value and/or its expenditure substantively exceeded or was significantly less than the agreed budget. If realised, this could result in the Standards Commission being unable to undertake its statutory duty to adjudicate on potential breaches of the Code and meet the objectives identified in the annual Business Plan.

Work the Standards Commission undertook to mitigate these risks included ensuring that the availability of Members and staff was checked before Hearings were scheduled and the composition of Hearing Panels finalised. Checks were undertaken for any potential conflicts of interest at the earliest opportunity following receipt of a referral from the ESC. The Standards Commission also sought information from the ESC about when cases were likely to be referred so that it could plan ahead as much as possible. The new Standards Commission Member was provided with training on the provisions in the Hearing Rules and Service Standards, and on all case and governance related policies within one month of commencing in post. All Members undertook refresher training on a variety of governance and adjudication matters at four development sessions in the year.

The Standards Commission also ensured that Hearings ran as efficiently and cost effectively as possible by issuing parties with guidance on the relevancy of evidence, holding pre-hearing meetings as a matter of course and holding Hearings online or at local authority venues at no cost. In addition, the Standards Commission regularly reviewed actual expenditure against budget and provided updates to the SPCB via the Parliament's Officeholder Services Team.

The Audit & Risk Committee was able, therefore, to assure the Standards Commission that all risks had been effectively managed.

The number of complaints made to, and the consequent number of cases referred to the Standards Commission by, the ESC is outwith the control of the Standards Commission; however, the volume of referrals by the ESC impacts on the resources required to enable the Standards Commission to undertake its statutory functions. While the Standards Commission puts in place controls and identifies actions to mitigate the risks associated with this, it acknowledges that this will always have the potential to impact on its operational effectiveness and its ability to predict the operating budget.

Key Performance Indicators

The Standards Commission reviewed its performance against key performance indicators (KPIs) three times in 2025-26, to identify any changes that need to be made to processes where any had not been met. These included key performance indicators relating to the timescales involved in the disposal of complaints. A summary of performance in the year is provided in Appendix B.

Financial Performance

The financial information provided is a summary extracted from the Standards Commission for Scotland's Annual Accounts 2025-26. For further information about the Standards Commission's financial position, a full copy of the Annual Accounts 2025-26 can be found on its website at <http://www.standardscommissionscotland.org.uk/corporate-info>.

Performance against prior year

The Standards Commission's net expenditure on operating activities for the year ending 31 March 2026 amounted to £417,000 (2024-25, £345,000). The expenditure was divided between staff costs of £369,000 (2024-25, £306,000) and other administrative costs of £48,000 (2024-25, £39,000).

Staff costs include all remuneration paid to both staff and Members. Member salaries include payments for time in respect of preparing for, conducting, and travelling to Hearings. Member salaries include payments for Hearings which were higher in 2025-26 than in 2024-25.

While 14 Hearings were held in 2025-26 as opposed to 15 in 2024-25, a larger number were held in person in 2025-26 with the location of some of these resulting in increased travel time. Staff salaries increased in line with the annual SPCB pay award (the percentage of which was lower in 2025-26 than in 2024-25). Staff salaries also increased from a change in hours and grading for one member of staff (the Case Manager) and recruitment of a temporary full time member of staff to provide parental leave cover.

Other administrative costs include Member and staff travel expenses which were higher in 2025-26 than in 2024-25. This was a result of the location of a number of Hearings necessitating significant travel and overnight accommodation for Hearing Panel Members and staff.

Performance against budget

Overall expenditure for the year was £417,000, which was £11,000 (or 2.6%) over the agreed overall budget. The overspend was due to a higher than expected expenditure on fees for legal advice which was partly offset by an underspend in IT and public relations costs.

Statement of Comprehensive Net Expenditure

	2025-26	2024-25
	£'000	£'000
Administration costs		
Staff costs	369	306
Other Administration costs	48	39
Gross Administration costs	417	345
Net Operating costs	417	345

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

	2025-26	2024-25
	£'000	£'000
Fees for legal advice and representation	16	19
Audit Fee	4	4
Property hire costs	1	1
Information technology costs	2	3
Printing and promotion costs	4	4
General administration costs	6	4
Members' travel and expenses	10	2
Staff travel and expenses, and staff and members' training costs	5	2
	48	39

APPENDIX A: SUMMARY OF CASES

Summaries of all decisions made, and Hearings conducted, by the Standards Commission in 2025-26 can be found below. The full written decisions from Hearings held are published online at:

www.standardscommissionscotland.org.uk/cases/case-list

‘No Action’ decisions and Section 24 referrals are published online at:

<https://www.standardscommissionscotland.org.uk/cases/cases-referred-by-the-esc>

HEARINGS

Case

LA/H/3969 – Highland Council

Date of Referral	6 August 2024
Date of Hearing	15 April 2025*
Date of Written Decision	22 April 2025

*The Hearing was initially scheduled to take place on 8 October 2024. The Standards Commission directed the ESC to undertake further investigation on 19 September 2024. After the further investigation report was received on 19 December 2024, the Hearing was scheduled for 25 March 2025. It was then adjourned and rescheduled to 15 April 2025 to accommodate witness availability.

There were three issues of complaint. The first issue concerned an email the Respondent sent the Chair of a local Committee that was involved in managing and maintaining a village hall, in September 2023. In this, the Respondent stated that if the Committee did not support a proposal for a constituent to buy public land, then he could not support further money for further improvements to the hall. The other two issues concerned the Respondent's conduct in sending the Committee Chair a text message and email after a complaint was made to the ESC in respect of the first issue.

The Panel noted, in respect of the first issue, that the Committee was entitled to seek grant funding from the Council. The Panel further noted that as one of the three ward councillors for the area that covered the village, the Respondent was entitled to advise council officers of his views on how the ward budget should be spend, albeit he was not responsible for determining how any funds are distributed. The Panel therefore found that the Respondent enjoyed some degree of influence in terms of how the ward budget should be spent. Having found this and that the Committee had previously received funding from the council for work to the village hall, the Panel considered it would have been evident to the Committee Chair that the Respondent felt very strongly about the Committee's stance towards the proposal. In the circumstances, the Panel considered it would have been reasonable for the Committee Chair to have understood the Respondent's email to constitute a viable threat with regard to the award of potential further council funding.

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 making a decision 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, on the face of it, the Respondent breached the Councillors' Code of Conduct.

The Panel was of the view 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, therefore, that the Respondent's conduct had the potential to erode the public's trust in this regard. It considered that a restriction on the Respondent's right to freedom of expression in the circumstances was relevant and necessary to ensure the council and office of a councillor are not brought into disrepute and that public confidence in the role of a councillor and a council are not undermined.

Case	LA/H/3969 – Highland Council cont.
	In making its decision, the Panel noted that such a restriction on the Respondent's freedom of expression would not have any effect on the Respondent's ability to support his constituents, given he could do so without issuing any threat concerning council funding. As such, the Panel was satisfied that a restriction was also proportionate. The Panel noted that the text and email from the Respondent that were the subject of the other two issues of complaint were sent after the Respondent was asked expressly by the ESC's office to refrain from contacting any parties to the complaint. The Panel noted both the text and email were private messages that were sent to the Chair only. The Panel was satisfied that both were relatively measured in tone and did not contain any intemperate language or confidential information. The Panel was further satisfied that the Respondent did not make any express request, in either the text or email, for the complaint to be withdrawn, or any threat to take action if it was not. The Panel did not consider, therefore, that in the circumstances the Respondent's conduct in sending the text and email would meet the threshold for amounting to a breach of the Code.
Sanction	The Panel was pleased to note that the Respondent accepted he had breached the Code and 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. The Panel further considered it was evident that the Respondent's conduct had a negative impact upon 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.

Case	NB/CC/3976 – Crofting Commission
Date of Referral	25 February 2025
Date of Hearing	30 April 2025
Date of Written Decision	7 May 2025
The complaint concerned whether the Respondent used, or attempted to use, his position or influence as a member of the Crofting Commission to seek preferential treatment in respect of any business he had with it as a service user, or that he avoided any action that could lead members of the public to believe that preferential treatment or access was being sought. The Panel heard that the Respondent forwarded an email from his solicitor regarding an application he had submitted for de-crofting, to another Commissioner 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 only sharing the information with the recipients in order to provide an example of what he perceived as being problems with a decision-making process. The Panel considered, however, that the Respondent would not 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, both in the email and at the Hearing, about the capacity in which he was sending the emails (i.e. as a board member or a service user), albeit the other Commissioner understood the Respondent was acting in the capacity of a board member when doing so. 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 was because: ■ sending an email to another Commissioner, 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 that 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 the 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 on that matter would entail, could not be justified.	
Sanction	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 his position as a service user and, further, had failed to make clear the capacity in which he was corresponding. 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.

Case	LA/Fa/3910 – Falkirk Council
Date of Referral	3 March 2025
Date of Hearing	5 June 2025
Date of Written Decision	13 June 2025
The complaint concerned the Respondent's conduct towards a senior planning officer of the Council. 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, 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 when 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, in early 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 expressed concerns regarding the senior planning officer's "part in the handling" of the application. The Panel further found that the Respondent sent an email, a week later, 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 second email, 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 a threat, amounted to bullying. The Panel concluded, therefore, that the Respondent 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", the Respondent 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, the Respondent also became inappropriately involved in an operational matter, in breach of the Code. This was regardless of whether any action was taken as a result.	

Case

LA/Fa/3910 – Falkirk Council cont.

The Panel noted it had found it would be reasonable for the senior planning officer to have understood the Respondent's email to contain an implied threat to involve the police and an external solicitor in investigating his role in the matter and, indeed, noted that was the senior planning officer's perception. The Panel agreed this would have been shocking for the senior planning officer, as it would have been reasonable for him to have understood this as an accusation of serious misconduct, if not criminality, on his part. While the Panel accepted that council officers can expect to receive a certain level of criticism, it agreed they have a right to be able to perform their roles in conditions free from undue perturbation, without unsubstantiated attacks on their motivations, integrity and reputation. The Panel considered that the Respondent could have expressed his frustration and questioned the reason for the delay, without:

- ▶ assuming and inferring it had resulted from the senior planning officer deliberately engaging in misconduct and suggesting that disciplinary action be taken against him; and
- ▶ threatening the involvement of the police and an external solicitor.

The Panel did not consider that any restriction placed on the Respondent in this regard would inhibit him, in any way, from undertaking his scrutiny role in respect of the application and overall process. The Panel noted the Respondent could have asked the relevant senior officers to establish whether and, if so why, any undue delays had occurred, in a manner compatible with the Code. The Panel considered, therefore, that a restriction on the Respondent's right to freedom of expression in respect was proportionate, necessary and justified. The Panel agreed, therefore, that a formal finding of a breach of the Code could be made.

Sanction

In determining the sanction to be imposed, the Panel agreed that, as an experienced member, 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.



Case	LA/As/4024 – Aberdeenshire Council
Date of Referral	4 April 2025
Date of Hearing	1 July 2025
Date of Written Decision	7 July 2025

The complaint concerned the Respondent's conduct at a Council Area Committee in November 2023, when a planning application from a gypsy traveller was being considered.

The Panel found that, at the meeting, the Respondent made various remarks about the application, which included questioning whether the fact that the applicant and others had already put their caravans on the site without permission, would mean they would just ignore any other restrictions on the use of the site. The Panel found that the Respondent stated, "I know there's been, as well, the same thing in....", and that she also referred to another site. While the recording of the meeting was incomplete and the Panel could not determine exactly what the Respondent had said, it was satisfied from her evidence that she had been referring to the unauthorised use of different sites by gypsy travellers. The Panel noted that the Respondent proceeded to state "they seem to do what they want", "history could repeat itself", "if they've done it once, other things can happen".

The Panel considered it would have been reasonable for anyone at the meeting, or observing it, to conclude the Respondent was referring not only to the potential continued unauthorised use by the applicant at the specific site in question, but also to the unauthorised use of sites by gypsy travellers more widely. The Panel therefore considered that the Respondent's comments were not based solely on information in the report about the continued unauthorised use of the specific site in question. As such, the Panel was satisfied the Respondent treated the applicant, as a gypsy traveller, less favourably, or failed to avoid giving the impression she could be doing so. The Panel concluded, therefore, that she had breached Section 7 of the Code.

The Panel further found that, when another councillor challenged the Respondent's remarks and stated that gypsy travellers had protected characteristics, the Respondent advised she had not made them just because the applicant and others occupying the site were "gypsies". The Respondent proceeded to say that her concerns stemmed from the size of the site and, as such, she would have expressed them if the applicant been "a British person". The Panel acknowledged the Respondent made this comment in an attempt to explain, and confirm, that her concerns about the application had nothing to do with the protected characteristics of the applicant or anyone else. The Panel nevertheless found that it could be inferred reasonably from her comment that the Respondent did not consider gypsy travellers to be British. The Panel agreed that, in doing so, the Respondent effectively made a distinction between gypsy travellers and other British people, based on an assumption or perception of their nationality or ethnicity. The Panel agreed that, while it may not have been the Respondent's intention, it would be understandable for the applicant and other gypsy travellers to have found the making of such an assumption to be disrespectful, particularly given there was no basis for such a generalisation.

The Panel considered that in making these comments, and in treating or appearing to treat the applicant less favourably based on a protected characteristic, the Respondent was disrespectful towards her in breach of the Code.

The Panel did not consider that a restriction on the Respondent's right to freedom of expression that a finding of a breach of the Code would entail would, in any way, restrict her ability, or that of any other councillor, to undertake properly the scrutiny and determination of planning applications or to raise any concerns they may have about their individual merits (including the extent of any proposed conditions). The Panel was of the view that a perception that an elected member was taking into account irrelevant considerations (in this case, the protected characteristics of the applicant) when considering and determining quasi-judicial matters, such as planning application, also had the potential to damage the public's confidence in the Council and its decision-making, as well as leaving it at risk of a legal challenge. The Panel considered, therefore, that a restriction on the Respondent's right to freedom of expression, to prevent this from occurring, was justified.

Case	LA/As/4024 – Aberdeenshire Council cont.
Sanction	In determining the sanction to be imposed, the Panel agreed that, as an experienced member of the Committee, the Respondent should have known how to raise any concerns she may have had about any application before it, without being disrespectful and making assumptions about the applicant and others. The Panel was concerned that while it was apparent the Respondent may not have intended to be disrespectful or divisive, she had not demonstrated any understanding of the need to avoid making assumptions or any insight into how her comments could be reasonably perceived, until the Hearing itself. The Panel nevertheless noted, in mitigation, that the conduct in question amounted to comments made at one committee meeting and, as such, was limited in duration. The Panel further noted the Respondent had referred herself to the Ethical Standards Commissioner and that she had not been the subject of any previous finding of a contravention of the Code. As such, the Panel concluded, on balance, that a two-month suspension was the appropriate sanction.





Case	LA/An/4168 – Angus Council
Date of Referral	14 April 2025
Date of Hearing	17 July 2025
Date of Written Decision	21 July 2025
The complaint concerned the Respondent's conduct during a Council meeting in June 2024 that he was chairing in his (then) role as Provost. Having watched a webcast of the meeting, the Panel found that, when another councillor attempted to speak about an agenda item, the Respondent stood, repeated her name twice and read excerpts from the Council's Standing Orders. The Panel acknowledged that the Respondent, as chair of the meeting, had a crucial role in ensuring it was conducted in compliance with the Council's Standing Orders and that questions and discussions remained focussed and relevant. The Panel agreed, however, that in deciding to read, to the other councillor, the provisions in the Standing Orders, the Respondent clearly implied she had failed to conduct herself in a manner that accorded with them. In reaching this view, the Panel noted a Chair would normally only be expected to refer to the Standing Orders if there had been a single serious contravention or repeated contraventions of them by a meeting participant. The Panel noted there was no evidence, in the webcast recording of the meeting, of any such a contravention by the other councillor. The Panel further agreed that the way in which the Respondent had intervened; namely by repeating the other councillor's name, standing up, and talking loudly (in such pointed and critical manner), would lead anyone present or observing the meeting to reasonably conclude he was reprimanding her. Given it had found there was no reason for such an admonishment of that kind, and given its public nature, the Panel agreed that the manner of the Respondent's interruption was inappropriate and disproportionate. The Panel considered that in, essentially, reprimanding her so publicly in circumstances where such action was not warranted, the Respondent was disrespectful and discourteous towards the other councillor. The Panel therefore determined on balance, that he had contravened the provision in the Code that requires councillors to treat everyone with courtesy and respect. The Panel accepted nevertheless that, as a politician acting in a political context, the Respondent was entitled to enhanced protection in respect of his right to freedom of expression. The Panel agreed that while the manner in which the Respondent had interrupted the other councillor was somewhat shocking and non-rational, it noted it would not be entirely unusual for a chair to intervene if they considered a meeting participant was unduly labouring a point, rather than asking a question. The Panel was of the view, therefore, that an intervention by the Respondent may not have been entirely unexpected (albeit the other councillor could not have anticipated he would choose to read excerpts from the Standing Orders in the manner he did). The Panel further considered that the impact of the Respondent's conduct was somewhat reduced by the fact that when the meeting resumed after a short adjournment he publicly apologised and acknowledged he had over-reacted. Having taken into account the context and factors outlined above, the Panel determined, on balance, that the Respondent's conduct was not so excessive as to justify, as proportionate, a restriction on his enhanced right to freedom of expression. The Panel concluded, therefore, that a formal finding of a breach of the Code could not be made.	
Sanction	Not applicable

Case	LA/NA/4086 – North Ayrshire Council
Date of Referral	27 May 2025
Date of Hearing	30 July 2025
Date of Written Decision	6 August 2025

The complaint concerned the Respondent's behaviour towards a member of the public, Ms A, at an online meeting of a Locality Partnership in February 2024.

The Panel noted that Ms A was representing a local history society that was, at the time of the events in question, seeking funding from the Council by way of presenting an 'expression of interest' at the meeting. The Panel was satisfied, from the evidence led, that, on the balance of probabilities, the Respondent had:

- ▮ been rude, aggressive and confrontational in his questioning of Ms A;
- ▮ unnecessarily interrupted and spoke over her on various occasions; and
- ▮ belittled, or given the appearance of belittling her, the local history society and the expression of interest.

The Panel acknowledged the Respondent, as an elected member, had an important role in scrutinising funding applications, in order to ensure that Council funds were distributed fairly and in the public interest. The Panel further acknowledged that the Respondent was frustrated because he considered the local history society had failed to provide sufficient information to support its application. The Panel noted, however, that the Locality Partnership was not determining any final application at the meeting; it was only considering an expression of interest. The Panel was satisfied that not only was the Respondent's approach in the circumstances disproportionate, but also that the manner in which he had talked to, and questioned Ms A, was wholly inappropriate.

The Panel acknowledged the Respondent may not have intended to upset Ms A. The Panel was of the view, however, that it would be reasonable for those observing the meeting to perceive his conduct as an attack on both the local history society and on Ms A, as its representative. The Panel noted, in support of this conclusion, that other witnesses had perceived this to be the case.

The Panel agreed it would be reasonable for members of the public representing local groups making applications for funding to the Council, particularly in a non-paid voluntary capacity, to be given the opportunity to present information in a respectful environment. The Panel considered that while such representatives and volunteers should understand they may have to answer questions, they have a right to expect any will be put to them in a professional and non-confrontational matter, and that they will be allowed to answer without being interrupted repeatedly or belittled. The Panel agreed that by interrupting repeatedly and asking questions in a confrontational and inappropriate manner, the Respondent was disrespectful and discourteous towards Ms A in breach of the Code.

The Panel noted that the Respondent, as an elected politician, was in a position of relative power over Ms A. The Panel acknowledged there was no evidence or suggestion of a course of persistent behaviour by the Respondent and noted his conduct had been limited to the one meeting. The Panel noted, nevertheless, that Ms A's position was that the Respondent's conduct left her feeling deeply upset, bullied, humiliated and in tears. Given the Panel found Ms A had been subjected to what was effectively an unwarranted and unexpected public attack, the Panel considered this was an understandable reaction.

The Panel did not agree the impact of this would have been lessened by the fact the meeting was held online, or because the Respondent may not have been able to see Ms A's reaction. Regardless of this, or the Respondent's level of frustration, the Panel agreed it was reasonable to assume he would and should have been able to discern the impact of the type of conduct in which he was engaging.

The Panel accepted similar conduct might be characterised as being 'robust' and even, in certain circumstances acceptable, had it been directed towards other elected members during a political debate, or even senior council officers who were presenting reports. This is because both are accustomed to working in a political environment and might be expected to have more tolerance. The Panel noted, however, that Ms A was an unpaid volunteer member of the public who was giving up her time for a local heritage society. The Panel considered that, in the circumstances, the manner in which the Respondent conducted himself towards her was both intimidating and disparaging. Even accepting this may not have been his intention, the Panel further considered that he should have realised his actions would likely have this impact. The Panel therefore agreed, on balance, that it would meet the threshold for amounting to a breach of the bullying provision of the Code.

Case	LA/NA/4086 – North Ayrshire Council cont.
	In assessing whether the Respondent's conduct was excessive and egregious for the purpose of determining whether a restriction on his right to freedom of expression could be justified, the Panel considered that the degree of latitude that should be afforded to the Respondent's conduct was narrow. This was because it considered Ms A, as a volunteer member of the local heritage society giving a presentation, had a right to expect she would be treated respectfully and would not be subjected to disrespectful and belittling behaviour. The Panel accepted that councillors have a responsibility to scrutinise applications for council funding carefully and thoroughly. The Panel considered, however, that the Respondent could have scrutinised robustly the information being presented, and sought more, if required, in a courteous and respectful manner. The Panel noted it had found, instead, that he had behaved in a manner that was rude, intimidating and aggressive, which made Ms A feel belittled and, humiliated. Having taken into account the context and factors outlined above, the Panel determined that the Respondent's conduct was sufficiently egregious and excessive as to justify, as proportionate, a restriction on his enhanced right to freedom of expression.
Sanction	In determining the sanction to be imposed, the Panel agreed that, as an experienced member, the Respondent should have known how to undertake his scrutiny role in respect of the application without being disrespectful or bullying a member of the public. The Panel was concerned that while this may not have been the Respondent's intent, he had not demonstrated any insight or understanding at the time into how his conduct could reasonably be perceived and the impact of it on Ms A. The Panel nevertheless noted, in mitigation, that the conduct in question was essentially limited to the one interaction at a meeting and, as such, was limited in duration. The Panel further noted that the Respondent had co-operated fully with the investigative and Hearing processes and there had been no previous finding of a contravention of the Code by him. In the circumstances and context, the Panel concluded, on balance, that a full suspension of two months was the appropriate sanction.

Case	LA/AC/3994 – Aberdeen City Council
Date of Referral	16 March 2025
Date of Hearing	5 August 2025*
Date of Written Decision	13 August 2025

* The Hearing was initially scheduled to take place on 18 June 2025 but was adjourned and rescheduled at the Respondent's request.

Appeal: The Respondent appealed the decisions on both breach and sanction, made at the Hearing, on the basis that there was procedural impropriety, that the Panel erred in respect of its findings in fact and law and that it acted unreasonably. The Appeal had yet been heard or determined by the year-end.

The Complaint concerned the Respondent's conduct at Council meetings between December 2022 and October 2023.

The Panel found that at the meetings in question, the Respondent made various personal remarks about the Lord Provost. The Panel found that these remarks either directly accused the Lord Provost of being or inferred clearly that he was: sexist; a misogynist who hated women; displaying religious intolerance'; engaging in intimidatory behaviour; and of treating the Respondent differently to others, due to her sex. The Panel noted that regardless of whether the Respondent considered them to have merit, these accusations were of a particularly serious nature. Given this, and the fact they were made in public, the Panel considered they had the potential to cause irrevocable harm to the Complainer's reputation and that of the Council.

In addition, the Panel found the Respondent stated, at a meeting in April 2023, that she was not prepared to put up with the alleged behaviour she had experienced from the Lord Provost at previous meetings, which included "sexual harassment as I see it". The Panel noted that the everyday meaning of sexual harassment was any unwanted behaviour of a sexual nature that creates a hostile or offensive environment. The Panel was of the view that it would have been reasonable for members of the public observing the webcast of the meeting to give the phrase its everyday meaning. As the remark was made in the context of the Respondent listing concerns about the Lord Provost's alleged behaviour towards her, the Panel agreed it would also be reasonable for members of the public to understand the Respondent was accusing the Complainer of having engaged in unwanted sexual behaviour towards her. The Panel noted the Respondent had not provided any evidence whatsoever, either during the meeting or subsequently, to support an accusation of sexual harassment towards her by the Lord Provost. Indeed, the Panel noted the Respondent had not reiterated or stood by this accusation at the Hearing and had not, at any time, given any indication of dates, times or places where any alleged sexual harassment had occurred.

The Panel found, therefore, that the Respondent's conduct in making the personal remarks and accusations of such a nature at public meetings was objectively disrespectful and, on the face of it, amounted to a breach of the requirement in the Code for councillors to treat their colleagues with courtesy and respect.

The Panel noted that, at a meeting in October 2023, the Lord Provost paused for a short period before inviting the Respondent to speak. The Panel noted that the Respondent then asked whether it was perhaps the Lord Provost's age that had "caused the delay". The Panel considered it would be reasonable for any members of the public or press observing to conclude the Respondent was suggesting the Lord Provost's performance in his role as Chair was affected adversely by his age. The Panel noted there was no upper age limit for being a councillor or Provost, and considered the remark amounted to personal attack on the Lord Provost, based on his age. The Panel concluded, therefore, that the Respondent had breached the provision in the Code that requires councillors to seek to foster good relations between different people.

The Panel was of the view that the Respondent's remarks about the Lord Provost's age, and the accusations that he was a misogynist and had sexually harassed her, were inappropriate and offensive. The Panel agreed that these amounted to repeated personal, public attacks that were both intended to, and would have caused, the Lord Provost to feel offended and humiliated. The Panel was satisfied, therefore, that the Respondent also harassed the Lord Provost, in breach of the provision the Code that prohibits such behaviour.

The Panel further found that, during a number of the meetings in question, the Respondent talked over the Lord Provost and refused to move on or sit down when he directed her to do so. As such, the Panel concluded that the Respondent failed to respect and comply with his rulings, as Chair, in breach of the Code.

Case	LA/AC/3994 – Aberdeen City Council cont.
	The Panel agreed the Respondent's accusations, as outlined above, were entirely shocking, offensive and gratuitous. The Panel agreed they were potentially damaging both to the Lord Provost and to the public's confidence in the Council as a whole. As such, the Panel concluded that, in the circumstances, a restriction on the Respondent's right to freedom of expression, that a finding of breach and imposition of a sanction would entail, was justified.
Sanction	The Panel was concerned that the Respondent had persisted in making made serious accusations about the Complainer in an inappropriate forum over an extended period. It found in doing so she had breached four separate provisions in the Code. The Panel was concerned that the Respondent had not demonstrated any insight, remorse or understanding whatsoever into the: ▶ impact or potential of her conduct on the Complainer and others present at the meetings in question; ▶ disruption her conduct had caused and the associated impact on how meetings were conducted; ▶ impact of conduct on the tone and focus of the discussions at the meetings (and how this could affect public confidence in the Council or even local democracy); and ▶ the need for a minimum standard of public debate in general. Indeed, the Panel noted that in her submissions, the Respondent appeared to criticise how the meetings were conducted and how chaotic they were, without showing any insight into how her behaviour contributed to this and might be perceived by the public. The Panel was also concerned the Respondent did not appear to understand that there was a difference between, on the one hand, her right, as an opposition councillor, to challenge the Complainer's policies and decisions as part of normal political discourse and, on the other, the making of serious, personal accusations and attacks on him, as an individual, in public. The Panel did not consider that such egregious, gratuitous personal attacks should be accepted as normal political discourse. It reiterated that harassment had no place in public life. Having considered the nature and seriousness of the breach, as well as the aggravating and mitigating factors identified, the Panel concluded that a four-month suspension was the appropriate sanction in the circumstances.

Case	LA/AB/4081 – Argyll and Bute Council
Date of Referral	3 July 2025
Date of Hearing	7 October 2025
Date of Written Decision	14 October 2025
* The Hearing was initially scheduled to take place on 26 August 2025, but was adjourned and rescheduled at the Respondent's request The Complaint concerned the Respondent's conduct in respect of two social media posts. The Panel heard it was not in dispute that, in September 2024, the Respondent shared, on his Facebook page, a post published by a group called by 'Glasgow Friends of Israel' (GFI), along with a quote taken from it, which stated that he had landed in trouble as a result of being an outspoken and unashamed supporter of Israel. The Panel noted that the GFI post, shared by the Respondent, referred to a member of the public as a "nasty Israel hater" who had "ties and a strong affiliation to proscribed terrorist organisations". The Panel agreed that it was apparent the Respondent posted the quote from, and link to, the GFI post in order to draw attention to it and to promote its contents (which were supportive of him). In the circumstances, the Panel agreed the Respondent's post would be reasonably regarded as endorsing the GFI post in its entirety, even if that had not been his intention. The Panel noted that while the GFI post did not name the member of the public it mentioned, it referred to the individual as having complained about the Respondent during a council meeting. The Panel noted that council meetings are held in public and, further, that there had been press coverage of the complaint the individual made. The Panel concluded, therefore, the individual in question was readily identifiable. The Panel was satisfied that it was objectively disrespectful to endorse a post where a readily identifiable member of the public was accused of having ties and a strong affiliation to terrorist organisations, when there was no evidence the individual in question had been investigated, charged or convicted with any related offence. The Panel therefore concluded the Respondent had, on the face of it, breached the respect and courtesy provisions in the Code in respect of the post. The Panel accepted nevertheless that, as a politician posting about a matter of public concern, the Respondent was entitled to enhanced protection in respect of his right to freedom of expression. The Panel acknowledged that while the Respondent shared the post containing the statement about the individual in question, he had neither authored it himself, nor specifically named them. The Panel further noted that the Respondent had edited his post to remove the link to the GFI post, when advised the matter was being investigated. Having taken into account the context and factors outlined above, the Panel determined, on balance, the Respondent's conduct was not so excessive as to justify, as proportionate, a restriction on his enhanced right to freedom of expression. The Panel concluded, therefore, that a formal finding of a breach of the Code could not be made. The Panel further found that, in a second social media post, the Respondent expressed a general view on Islam. While the Panel made it clear it did not endorse or agree with the view expressed, it nevertheless accepted it was one the Respondent was entitled to hold. The Panel acknowledged many people would find the Respondent's statement inaccurate, inflammatory and offensive, but noted it was a very general view about a supposed fundamental belief at the core of a religion, rather than being a statement about any specific individual or individuals (even if they belonged to, or followed, that religion). In the circumstances, the Panel did not consider the Respondent's conduct in respect of the other post would meet the threshold for amounting either to disrespect or a failure to foster good relations in terms of the Code. As such, it concluded the Code had not been breached.	
Sanction	Not applicable.

Case	LA/AB/4147 – Argyll & Bute Council
Date of Referral	7 August 2025
Date of Hearing	23 October 2025
Date of Written Decision	31 October 2025
The complaint concerned a social media post. The Panel found that it was not in dispute that when a member of the public posted a comment on Facebook complaining about the state of the flowerbeds in a named local town, the Respondent replied, stating “nothing has been done since Joe retired in November. It is absolutely shocking. That’s what happens when someone who has no experience gets the job and doesn’t have a clue.” The Panel further noted it was not in dispute that the ‘Joe’ in question was the Respondent’s husband. The Panel noted that the Respondent’s position was that she had not intended her comments to be disrespectful, and that they were directed towards the Council rather than any specific individual. The Panel noted, however, that the Respondent referred, in her post, to the person who replaced the retired postholder as having “no experience” or “clue”. Given this, the Panel was satisfied that it would be reasonable for anyone viewing the post to consider it was directed at the individual postholder who was now in the role, rather than the Council itself. The Panel noted that the Respondent did not name the individual postholder. The Panel considered, however, that the officer in question was readily identifiable. This was because: - there was evidence members of the public had been able to identify him; - the officer’s wife’s colleague took a screenshot of the post indicating council officers were also able to identify him); and - only five Council officers were responsible for the work referenced, with only one based in the town in question. Therefore, it would be apparent which one had replaced ‘Joe’. The Panel was of the view that by saying the individual had no experience or clue, the Respondent was inferring they should not have got the job. The Panel considered this was inherently disrespectful to the officer in question. The Panel was further of the view that the Respondent implied, in the post, that the officer was responsible for the “absolutely shocking” state of the flowerbeds and the alleged failure to do anything about this. The Panel was therefore satisfied that it would be reasonable for anyone reading the post to perceive it as amounting to public criticism of both the individual officer’s performance and capability. The Panel concluded, therefore, that the Respondent had breached the provisions in the Code that require councillors to be respectful and to refrain from criticising their performance, conduct or capability in public. The Panel noted the Respondent’s position was that she did not intend to be disrespectful towards the officer, and that her comment was intended to be a criticism of the state of the town and, possibly, the way in which the Council had filled the vacancy. The Panel considered, however, that the only reasonable interpretation of the post was that the Respondent was suggesting the officer was incompetent and not undertaking the role effectively. The Panel considered that it would have been entirely possible for the Respondent to express dissatisfaction with the Council’s performance, and / or how any recruitment had been conducted, without undermining and demeaning the officer in such a public manner. While the Panel accepted the complaint concerned one comment that had been removed quickly, it considered the Respondent’s comments were personal in nature and amounted to an unwarranted, egregious and offensive personal attack on an officer who was, in terms of his role, relatively junior. Given the post could have been viewed or even shared by many individuals, and given the officer had no right of reply, the Panel considered it had the potential to undermine both the officer in question and confidence in the Council itself, regardless of how quickly it was removed. Having considered the context and factors outlined above, the Panel determined, on balance, that the Respondent’s conduct was sufficiently egregious and excessive as to justify, as proportionate, a restriction on her enhanced right to freedom of expression.	

Case	LA/AB/4147 – Argyll & Bute Council cont.
Sanction	In determining the sanction to be imposed, the Panel noted it had found the Respondent's comments were personal in nature and amounted to an unwarranted, egregious and offensive personal attack on an officer. The Panel considered that it would have been entirely possible for the Respondent to express dissatisfaction with the Council's performance without undermining and demeaning the officer in public. The Panel nevertheless acknowledged, in mitigation, that the conduct in question was essentially limited to the one social media post that had been removed quickly and, as such, was limited in duration. The Panel also acknowledged the Respondent's contribution to her town and public life in general. The Panel was pleased to note the Respondent deleted the post shortly after posting it and accepted it was the result of her being frustrated and angry at the time. In the circumstances and context, the Panel concluded, on balance, that a full suspension of one month was the appropriate sanction.



Case	LA/H/4028 – Highland Council
Date of Referral	24 July 2025*
Date of Hearing	4 November 2025
Date of Written Decision	11 November 2025
* Following receipt of the initial referral on 23 April 2025, the Standards Commission directed the ESC to undertake further investigation on 29 April 2025. A further investigation report was received on 24 July 2025. The complaint concerned the Respondent's failure to declare an interest at a committee meeting in January 2024. The Panel heard it was not in dispute that the Respondent did not declare an interest and, instead, took part in the discussion and decision-making on a grant application by a Community Interest Company for funds from the Council's Community Regeneration Fund. The Panel found that a member of the public, Ms A, was the sole director and had a controlling interest in the Community Interest Company. The Panel noted it was accepted that a friendship existed between Ms A and the Respondent at the time of the meeting. The Panel further noted that Ms A sent the Respondent a letter of engagement in November 2023 agreeing to provide him with legal representation. The Panel noted the paperwork considered at the meeting in support of the application included a letter of support from the Respondent in respect of a proposed land acquisition by Ms A. The Respondent made it clear, in his letter, that he was supporting the land acquisition, as he considered it was an important part of the project to restore her overall property. While the Panel noted the project for which the Community Interest Company was seeking funds from the Council's Community Regeneration Fund appeared to be distinct from the land purchase, it found both related to the development of Ms A's overall property. The Panel was satisfied that, when taken together, the Respondent's letter, friendship with Ms A and their client / lawyer relationship could reasonably be considered as a connection that existed between the Respondent and Ms A (as the sole director of the Community Interest Company) at the time of the committee meeting in question. Having found there was a connection, the Panel therefore proceeded to consider the objective test outlined in the Code. While the Panel accepted both that the Respondent was not aware his letter was included in the papers before the Committee and that his connection to Ms A may not have influenced his decision-making at the meeting, the Panel noted that the objective test is just that – objective. It was not about what a councillor might know about their own motivations and whether any connection would unduly influence them. Instead, it is what others would reasonably think, if they were in possession of the relevant facts. In this case, the Panel concluded that the relevant facts and circumstances were: • The extent and nature of the Respondent's relationships with Ms A. • That the papers before the Committee on the application contained a letter of support from the Respondent to Ms A expressing support for the project to develop her property. • That the application for funding was being made by a Community Interest Company of which Ms A was the sole director. • That the funding was for a project associated with the development of Ms A's property. The Panel was satisfied that a member of the public, with knowledge of these facts, would reasonably regard the Respondent's connection to the application to be considered at the meeting as being sufficiently significant as to be likely to influence his discussion or decision-making on the matter. The Panel agreed that, considering all the foregoing, the Respondent should have declared an interest, withdrawn from the meeting and taken no part in the discussion and decision-making. The Panel therefore concluded that, in failing to do so, the Respondent breached the Code.	

Case	LA/H/4028 – Highland Council cont.
Sanction	In reaching its decision on sanction, the Panel noted that the requirement for councillors to declare interests is a fundamental requirement of the Code as it gives the public confidence that decisions are being made in the public interest, and not the personal interest of any councillor or their friends, family or close associates. A failure to comply with the Code's requirements in this regard can erode confidence in the Council, damage its reputation and, potentially, leave its decisions open to legal challenge. The Panel acknowledged the Respondent did not vote in favour of the application and accepted there was no evidence of any benefit to Ms A or the Community Interest Company from his failure to declare an interest at the meeting in question. The Panel was pleased to note that the Respondent had co-operated with the investigation and adjudication processes. The Panel also noted the Respondent's commitment to his constituency and constituents. The Panel nevertheless agreed that the Respondent should have been aware that the objective test was one of perception, and that he should have considered how members of the public might reasonably view his connection to the director of the applicant company and whether this was likely to influence his discussion and decision-making at the meeting. The Panel agreed this was particularly the case given the Convener, at the meeting, noted his letter of support was included in the papers submitted in support of the application and asked whether, given this, the Respondent needed to declare an interest. The Panel agreed that it was necessary to impose a suspension in order to reflect the nature of the breach and to maintain public confidence that councillors will comply with the Code and will be held accountable if they fail to do so. The Panel determined that suspended the Respondent's entitlement to attend full meetings of the Council for two months was an appropriate and proportionate sanction in the circumstances.





Case	LA/G/4203 – Glasgow City Council
Date of Referral	29 August 2025
Date of Hearing	2 December 2025
Date of Written Decision	8 December 2025
The complaint concerned an allegation that the Respondent behaved disrespectfully towards a fellow councillor during a podcast interview broadcast in October 2024. At the Hearing, the Standards Commission’s Panel heard that it was not in dispute that, during the podcast, the Respondent recounted a story her child had apparently told her about alleged incidents involving black children attacking white children. The Respondent indicated that she had resolved to ask a question about the issue at a Council meeting. The Panel noted, from the recording of the podcast interview, that the Respondent then narrated that another councillor, being the then Business Manager of her then party group, had advised her that the Group did not want her to ask the question as it was not sufficiently politically correct. The Respondent alleged that after she had said the matter required to be addressed, the then Business Manager asked her whether she could “change the white to black”, [as in, to refer to black children being the subject of the alleged attacks, rather than white]. The Panel noted the Respondent then recounted that she had stated, in response, that doing so would change the context of the question. Having heard evidence from both the Respondent and the former Business Manager, the Panel was satisfied the then Business Manager had suggested the Respondent re-frame her proposed question. The Panel was satisfied that the Respondent understood the then Business Manager had made general comments to the effect she then recounted during the podcast, even if he did not use the exact words she attributed to him. The Panel was therefore satisfied that what the Respondent had narrated was her genuine interpretation of what had been said. The Panel proceeded to consider whether the Respondent’s conduct, in recounting the comments on a public podcast, in the manner she had, would meet the threshold for amounting to a breach of the respect and courtesy provision in the Code. It acknowledged that by the time of the podcast, the Respondent was no longer a member of the party group and that it was accepted there was some ill-will between her and some of her former colleagues, including the then Business Manager. The Panel nevertheless accepted the Respondent’s position that, in making her comments and recounting her conversation with the then Business Manager, she was motivated by a desire to highlight an issue she considered had not been addressed, rather than by a desire to make him look bad or cause him reputational damage. The Panel accepted that the then Business Manager may have had an expectation that the Respondent would not repeat, in public, what appeared to have been a private conversation between them. It agreed, nevertheless, that the Respondent’s conduct, in recounting that the then Business Manager had asked her to re-frame the question out of concern that the party group might not appear to be politically correct, could not be characterised reasonably as her making a serious, personal attack on him as an individual. In support of this, the Panel noted that the then Business Manager did not appear to have serious concerns in this regard and had not made a complaint himself. It further noted that while the Respondent had referred to his job title in recounting her experience, she had not named the then Business Manager in the podcast. Indeed, the Panel considered that it was evident from the recording that the Respondent’s motivation was to make public her concerns that she was being silenced or censored in some way, rather than to criticise the Business Manager as an individual. In the circumstances, the Panel did not consider that the Respondent’s conduct, in making the comments in the specific circumstances, would meet the threshold for disrespect in terms of the Code, and concluded the Code had not been breached.	
Sanction	Not applicable.

Case	LA/DG/4041 – Dumfries and Galloway Council
Date of Referral	20 October 2025
Date of Hearing	3 February 2026
Date of Written Decision	9 February 2026

The complaint concerned the Respondent's behaviour both at, and after, a party group meeting held immediately before a full Council meeting in December 2023.

Having considered carefully the evidence from various witnesses led at the Hearing and provided to the ESC during his investigation, the Hearing Panel concluded, on the balance of probabilities, the Respondent had:

- ▶ Behaved in an aggressive and intimidating manner towards the then Council Leader during the party group meeting, by standing over her, in her personal space, and by physically pushing past her in an angry manner that resulted in her losing her balance and falling against the table.
- ▶ Pushed through a doorway before the Leader and two other elected members in an angry manner.
- ▶ Threw his papers and possessions on a table upon entering the Council Chamber and pointed and shook his fist at the Council's Monitoring Officer.
- ▶ After leaving the Chamber and going into a shared kitchen, had opened and closed cupboard doors in a noisy manner (that was sufficiently loud to be heard in the Chamber), during which time a mug or cup was broken.

The Panel agreed it would have been understandable for the Respondent to have felt frustrated because, as a result of a misunderstanding as to whether he had given apologies for that day, British Sign Language (BSL) interpretation services were not available and, therefore, he was unable to participate in the party group meeting (with interpreters for the Council meeting itself only being available online). The Panel further acknowledged that, as a BSL user, the Respondent communicated in an expressive way, that it was possible that some of his gestures could be misconstrued to an extent, and that he may not have been aware of how noisy he had been in the kitchen. It also accepted that he had not intended to break the cup or mug.

The Panel was satisfied, however, that the Respondent had lost his temper and behaved in a manner that was entirely inappropriate for a workplace. The Panel was of the view that it would be reasonable for those who were subjected to, or witnessed, his conduct to have perceived it as being aggressive and intimidating. The Panel noted, in support of this conclusion, that both the then Council Leader and Monitoring Officer had confirmed in evidence that was the case. It further noted that the Respondent had accepted a police warning in respect of his behaviour on the day. The Panel did not accept the Respondent's position that he did not know what the police warning concerned (and only accepted it solely on the advice of his solicitor). The Panel considered it was unlikely he would have accepted such a warning had he not lost his temper and had he felt he had behaved appropriately.

The Panel considered that politicians and senior officers are accustomed to working in a political environment. As such, they may be used to some acrimony and even be expected to have some tolerance towards displays of anger or frustration. The Panel was nevertheless of the view that everyone has a right to work in a safe and respectful environment, free from bullying or harassment.

The Panel agreed that in behaving in the manner as found, the Respondent had been disrespectful and discourteous towards the then Council Leader, Monitoring Officer and other officers and councillors present. The Panel determined, as such, the Respondent had failed to comply with the requirement in the Code for councillors to behave with courtesy and respect at all times, and to work with officers in an atmosphere of mutual trust and respect.

The Panel acknowledged the complaint before it only concerned the Respondent's conduct on the one day. The Panel noted, nevertheless, that his conduct had left both the Council Leader and Monitoring Officer feeling intimidated, uncomfortable and frightened. Given the Panel found the Respondent had made unwelcome physical contact with the Council Leader and had been visibly angry both at the time and during the course of the events that followed, the Panel considered this was an understandable reaction. Even accepting this may not have been the Respondent's intention, the Panel further considered that he should have realised his actions would likely have such an impact and, indeed, should have observed they did so. The Panel therefore agreed, on balance, that it would meet the threshold for amounting to a breach of the harassment provision of the Code.

Case	LA/DG/4041 – Dumfries and Galloway Council cont.
	The Panel considered, on balance and when taken together, some of the Respondent's conduct, as found, could be considered objectively as him expressing his frustration and view about the failure to ensure interpreters were present at the party group meeting and the uncertainty as to whether they would be present at the Council meeting immediately afterwards. The Panel was of the view, therefore, that the Respondent's right to freedom of expression should be taken into account. The Panel considered that the Respondent was entitled to enhanced protection in respect of this right, as his conduct took place in the context of group and Council meetings and on Council premises, and arose from a lack of interpretation services and the associated barrier to participation (being matters of public interest). The Panel accepted the Respondent had a legitimate concern about the provision of interpretation services. The Panel considered, however, that he could have raised any issues in respect of this in a courteous and respectful manner. The Panel noted it had found, instead, that he had behaved in a manner that was intimidating and aggressive, which made others feel uncomfortable and threatened. Having taken into account the context and factors outlined above, the Panel determined that the Respondent's conduct was sufficiently egregious and excessive as to justify, as proportionate, a restriction on his enhanced right to freedom of expression. The Panel concluded, therefore, that a formal finding of a breach of the Code could be made.
Sanction	In determining the sanction to be imposed, the Panel agreed that the Respondent should have been able to raise concerns about the provision of interpretation services without being disrespectful or engaging in any conduct that could be perceived reasonably as being threatening or intimidating. The Panel was concerned that while this may not have been the Respondent's intent, he had not demonstrated any insight or understanding either at the time or at the Hearing, into how his conduct could be reasonably perceived, and the serious impact it both could and, indeed, did have on others; or of the importance of building and maintaining good relations with officers. The Panel nevertheless noted, in mitigation, that the conduct in question was limited in duration and was the result of frustration at the misunderstanding that had led to interpreters not being present. The Panel acknowledged and sympathised with the communication challenges the Respondent faced. The Panel further noted that the Respondent had co-operated fully with the investigative and Hearing processes and had not been the subject of any previous finding of a contravention of the Code. In the circumstances, the Panel concluded, that a three-month suspension was the appropriate sanction.

Case	NPA/LLT/4148 – Loch Lomond and the Trossachs National Park Authority
Date of Referral	17 October 2025
Date of Hearing	3 February 2026
Date of Written Decision	18 February 2026

Appeal: The Respondent appealed the decisions on both breach and sanction, made at the Hearing, on the basis that there was procedural impropriety, that the Panel erred in respect of its findings in fact and law and that it acted unreasonably. The Appeal had yet been heard or determined by the year-end.

The Panel complaint concerned emails the Respondent sent on 26, 27 and 28 August and 12 September 2024.

The Panel found that, in the August 2024 emails, the Respondent was discourteous and disrespectful towards the Park Authority's Convener, other board members and its Chief Executive, by making a number of serious accusations about them, and the Park Authority's decision-making, in relation to a major planning application. As examples, the Panel noted the Respondent accused the Convener of "undemocratic and unlawful" acts, of bullying him, of criminal activity, and of going "way beyond her authority". He accused the Chief Executive of exceeding his powers, "having produced a masterpiece in half-truths, evasions, fallacies and obfuscation" and of "misconduct in public office"; and the wider Park Authority of having breached its statutory aims.

The Panel accepted fully that the Respondent was entitled to raise concerns he may have had about the Park Authority's decision-making in a respectful manner, either at a board meeting or in private with the Convener and Chief Executive. The Panel noted that adherence to the principle of collective responsibility meant that ultimately if, having exhausted these routes, the Respondent remained dissatisfied with, and could not accept and support a decision made by the Park Authority, the option available to him (as with other members of public bodies), was to resign.

The Panel noted the Respondent also sent an email in September 2024 to an external legal firm, accusing them of bullying him. The Panel noted the firm had been instructed by the Park Authority to provide advice about whether the Respondent had a conflict of interest in respect of the application. The Panel agreed that the Respondent should have been aware that it was entirely appropriate for the Park Authority to have sought such an opinion and for the legal firm to have provided advice accordingly. This was because there could be potentially significant reputational and cost implications should the Park Authority's decision-making be challenged successfully in the Courts, on that grounds that one of its members had participated in the decision-making on a major planning application, despite having a conflict of interest. As such, the Panel was satisfied that the Respondent's conduct, in accusing the legal firm of bullying him for having provided advice in accordance with a legitimate instruction, was entirely inappropriate and disrespectful. This was regardless of whether he agreed with the advice.

The Panel found the tone of all the Respondent's emails to be entirely inappropriate for a member of a board of a public body. The Panel was further of the view it was entirely disrespectful for the Respondent, as a board member of the Park Authority (and therefore as someone in a position of power and influence), to have made such serious accusations in such a manner. The Panel further considered that the Respondent's conduct in stating to the Convener, in the emails, that she was in "deep trouble", had "lots of problems" coming her way, and should get a lawyer, amounted to a deliberate threat that was evidently aimed at frightening and undermining her. The Panel agreed that such conduct by a board member was wholly inappropriate and entirely discourteous and, therefore, a breach of the Park Authority's Code.

The Panel agreed the Respondent's August 2024 emails were threatening, both in tone and content, towards the Convener and Chief Executive. Given the Respondent copied in numerous senior politicians and repeated his accusations in several emails over a short period of time, the Panel agreed it would have been reasonable for the Convener and Chief Executive to have felt disparaged, threatened and intimidated by them. As such, the Panel found the Respondent's conduct in sending the emails to also amount to a breach of the bullying provision in the Code.

The Panel was particularly disappointed to note that in an email sent on 28 August 2024, the Respondent stated that the Convener should "have a frank conversation" with her husband about her best interests and should get herself a lawyer. Given the Convener's husband was neither a member nor an employee of the Park Authority and, indeed, had no ostensible connection to the matter, the Panel considered the Respondent's conduct in doing so to be condescending, spurious and entirely discourteous. The Panel was satisfied it was unlikely the Respondent would have made any such mention of a spouse, had the Convener not been female.

Case	NPA/LLT/4148 – Loch Lomond and the Trossachs National Park Authority cont.
	The Panel noted that a number of individuals copied into the Respondent's emails were not members of the Park Authority and, further, that their status as senior politicians meant that it was likely their staff would be able to access their email accounts. As such, the Panel was of the view that the Respondent's emails should be considered public in nature. The Panel found that in an email dated 26 August 2024, the Respondent made specific allegations about the Chief Executive, including that he had lied and committed misconduct in public office. The Panel was satisfied, therefore, that in doing so the Respondent had undermined and raised concerns about an identifiable employee's performance, conduct and capability in public, being another breach of the Code. The Panel also found that by challenging the decision by the Park Authority to proceed to make a determination on the planning application, both publicly and in the disparaging manner in which he had, the Respondent also breached the requirement in the Code to abide by the principle of collective responsibility. The Panel further found that, in his email of 26 August 2024, the Respondent disclosed to a number of external recipients, the personal or private email addresses of other board members, none of which were readily available publicly. The Panel found that, in doing so, he breached the provision in the Code that requires members not to disclose confidential information or information that should reasonably be regarded as being of a confidential. The Panel accepted some of the Respondent's comments could be considered value judgements, or opinions. The Panel noted, however, that value judgements require to have a sufficient factual basis, otherwise they can be deemed excessive. The Panel further noted that the more serious the accusation, the more solid the factual basis required. In this case, the Panel noted the Respondent appeared only to rely on a member of the public's inaccurate opinion, as published in a blog, to support his position. Given he continued to make his accusations, despite information to the contrary having already been provided to him by the Park Authority and an external law firm, the Panel did not consider the Respondent provided a sufficient factual basis for them. This was particularly given how serious, shocking, provocative and persistent they were, and given the fact they were made publicly. The Panel was satisfied, in any event, that the Respondent's conduct was entirely gratuitous and excessive. It was satisfied that a restriction on his right to freedom of expression was necessary to protect the rights and reputations of others good working relationships, and public confidence in the Park Authority and its decision-making processes. The Panel agreed, therefore that a formal finding of breaches of the Code could be made.
Sanction	In determining the sanction to be imposed, the Panel was disappointed to note that the Respondent did not appear to care that the content, tone and persistent nature of his emails were entirely inappropriate and incompatible with the Code, the provisions of which, as a board member, he had agreed to adhere. Instead, the Panel considered it was apparent that the Respondent intended his emails to be shocking and, further, that was trying to cause upset, offence and fear. The Panel considered the breaches of the Code were serious in nature. While it noted, in mitigation, there had not been any previous findings of a contravention of the Code by the Respondent, it was concerned he had not demonstrated any insight whatsoever into the potential impact of his conduct on others, either on a personal level, or in terms of how it made them feel when working for, or engaging with the Park Authority. Indeed, the Panel noted that the Respondent appeared to be concerned only with his own views. The Panel further noted the Respondent had not proffered any apology. It was dismayed to note that, instead, the Respondent (through those representing him) had repeated his accusations during the ESC's investigation and, further, following the referral to the Standards Commission, had attempted to publicly undermine the Hearing process. In the circumstances, the Panel concluded, that a six-month suspension without pay was the appropriate sanction.

Case	LA/E/4130 – City of Edinburgh Council
Date of Referral	28 November 2025
Date of Hearing	11 March 2026
Date of Written Decision	23 March 2026

The complaint concerned whether two councillors failed to declare an interest when matters concerning a Quiet Route in their area were being considered at meetings of the Council's Transport and Environment Committee and at a workshop.

The Panel found that, at the time of a committee meeting in June 2023 and a workshop for elected members in August 2023, the first Respondent lived on the road parallel to the road that was the subject of the 'Quiet Route'. It further found that the second Respondent lived on the road itself (albeit at a part that was not included as part of proposed redesigned route) at the time of both the meeting and workshop, and a later meeting of the Committee in March 2024. As such, the Panel was satisfied a connection existed between both Respondents and the Quiet Route that was the subject of the items being considered at the meetings and workshop.

The Panel noted that the Code requires councillors to declare any connection to a matter being considered if the objective test is met. The objective test is where a member of the public, with knowledge of the relevant facts, would reasonably regard a councillor's connection to a particular matter as being so significant that it would be considered likely to influence their discussion or decision-making. The Panel noted the test is one of perception. It noted, therefore, that the following questions or matters were not relevant to the question of whether they should have declared an interest:

- ▶ The Respondents' connection actually influenced their discussion or decision-making;
- ▶ The motions in question were agreed at the meetings;
- ▶ Any decision made at the meeting had an actual impact on the Respondents' properties (either positive or negative); and
- ▶ There was any public support for any decision made.

The Panel was satisfied, in this case, that the relevant facts, for the purpose of the objective test, were:

- ▶ That the location of the properties owned by the two Respondents were so close to the Quiet Route that any change to the ways in which traffic was being directed under it, and the consequent impacts (for example in respect of traffic volume, parking and pedestrian and cycle routes) were likely to affect where they lived and, potentially their enjoyment of their properties.
- ▶ That councillors present at the meetings and workshop were being asked to consider matters concerning how the future of the Quiet Route would be planned or determined.

The Panel considered that, having applied the objective test both Respondents should have reached the view that a member of the public with knowledge of the relevant facts, as outlined above, would reasonably regard their connections as being so significant that they would be considered as being likely to influence their discussion or decision-making. This was because it was evident any decision or potential decision resulting from consideration of these matters would likely have a direct impact on the road in question and any nearby streets. The Panel concluded, therefore, that both Respondents should have declared an interest and taken no part in the discussion and decision-making. The Panel found that their failure to do so amounted to a breach of the Code.



Case	LA/E/4130 –City of Edinburgh Council cont.
Sanction	In determining the sanction to be imposed, the Panel noted that the requirement for councillors to declare interests is a fundamental requirement of the Code as it gives the public confidence that decisions are being made in the public interest, and not the personal interest of any councillor or their friends, family or associates. A failure to comply with the Code's requirements in this regard can erode confidence in elected members. It can also erode public confidence in the Council, damage its reputation and, potentially, leave its decisions open to legal challenge. The Panel noted, in mitigation, the Respondents had, at different points, made transparency statements, and there was no evidence that they attempted to conceal where they lived. The Panel accepted the first Respondent had, in good faith, sought to meet the requirements of the Code. The Panel accepted the second Respondent's evidence and submissions that she had sought to carry out her duties to the best of her ability. Having considered carefully the nature and seriousness of the breach, as well as the aggravating and mitigating factors identified and outlined above, the Panel considered a censure, being the Panel's severe and public disapproval of the Respondents' failure to comply with the Code, was the appropriate sanction in the circumstances. This was because the Panel was satisfied, in this case, that given the nature of the matters being considered at the meetings and workshop in question, the Respondents' participation was unlikely to and, indeed, did not have any substantial impact on the nature and extent of the Quiet Route. Given it had also found no evidence that either Respondent attempted to conceal where they lived or their connection to the matter, the Panel was further satisfied they had not been attempting to seek an advantage for themselves.

NO ACTION

Case	LA/S/4159 – Stirling Council
Date of Referral	31 March 2025
Date of Decision	2 April 2025
The complaint concerned a social media post published by the Respondent. The ESC reported that the Respondent re-posted a picture containing the name of a prominent Scottish newspaper, with the words “written by arseholes, for arseholes” appearing underneath. The ESC advised that the Respondent commented that it was the “the death knell for your rag supporting a party of genocide supporting #RedTory lying charlatans”. The ESC noted the Respondent had confirmed this was a comment on another political party’s stance on the conflict in the Middle East. The ESC considered the term “arseholes” was offensive and, that by re-posting it, the Respondent was endorsing the comment and, accordingly, could bring the role of a councillor into disrepute. The ESC advised he further considered that describing other political parties as being genocidal or supporting genocide was insulting and offensive and, on its face, disrespectful and a breach of the Code. The ESC nevertheless noted that the Respondent had not referred to, or identified, any specific individual in the post. The ESC advised he further considered that it was evident the Respondent’s comments amounted to value judgements (or opinions), rather than statements of fact. As such, the ESC advised he had concluded that a restriction on the Respondent’s right to freedom of expression could not be justified. In considering proportionality, the Standards Commission agreed with the ESC that even if the Respondent’s conduct was found to be disrespectful or discourteous at a Hearing, it was unlikely a restriction on his right to freedom of expression could be justified. The Standards Commission further noted that the Respondent had accepted, in hindsight, that he should not have made the comments or re-posted the picture contained in his post, and had apologised unreservedly for doing so. Having taken into account this acceptance and apology, and the likelihood of the Respondent’s conduct being protected by his enhanced right to freedom of expression, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/Fi/4104 – Fife Council	
Date of Referral	4 April 2025	
Date of Decision	9 April 2025	
The complaint concerned the Respondent’s conduct, in mentioning council officers’ concerns about the internal governance of the applicant organisation, during consideration of an application for Council funding at an area committee meeting. The Standards Commission found the matter was not quasi-judicial in nature and concluded, therefore, that Section 7 of the Code did not apply. This was because the matter was a discretionary decision for the Committee to make on whether general Council funds should be provided to assist a local body. The Standards Commission noted that there was no statutory framework for the making of such a decision and no right of appeal to the Courts. The Standards Commission noted the ESC reported the Complainer alleged that, in mentioning internal governance issues in the application organisation, the Respondent had been disrespectful towards both the applicant organisation and council officers. The Complainer further alleged that in doing so the Respondent had also disclosed confidential information. The ESC reported that he had found council officers had told the Respondent about possible financial sustainability issues at the organisation and had advised him that it had not provided financial records, despite requests to do so. The ESC noted, however that, in making the funding decision, the elected members present were obliged to undertake a scrutiny role and to refer to any concerns that had been raised. As such, it was not disrespectful for the Respondent to have referred to the officers’ concerns. The ESC further reported that officers had advised they did not regard their concerns involving the organisation’s financial sustainability or governance to be confidential. The ESC advised that, as such, he had not found that the Respondent had breached the Code. In considering proportionality, the Standards Commission noted that the ESC had not found the information disclosed by the Respondent to be confidential. The Standards Commission found no reason to depart from the ESC’s conclusions in that regard. The Standards Commission further noted that as the matter was not quasi-judicial and the information was not confidential, the Respondent was entitled to mention it at the meeting and for it to form part of the Committee’s scrutiny of the application, regardless of whether it was mentioned in the report before the Committee or by officers at the meeting. As such, the Standards Commission did not consider the Respondent’s conduct in mentioning any alleged internal governance issues in the applicant organisation, or concerns about its sustainability, to be disrespectful. The Standards Commission was of the view, therefore, that there was no evidence of a breach of the Code. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. It determined to take no action on the referral.		

Case	LA/NL/4154 – North Lanarkshire Council
Date of Referral	16 April 2025
Date of Decision	22 April 2025

The ESC reported that the complaint alleged that the two Respondents, being the Complainer's party group Leader and its Business Manager, failed to make reasonable adjustments relative to his remote attendance at group's meetings in February and March 2023.

The ESC reported that the meetings in question were meetings of a Council Group, held on Council premises. He further reported that the Respondents had identified themselves as councillors in correspondence and had used their council email accounts to communicate with the Complainer about the matter.

The ESC advised, nevertheless, that he considered that the Respondents were not acting, and could not be perceived reasonably, as acting in their capacity as councillors and, as such, that the Code did not apply to their conduct. This was because the emails were only sent to members of the party group, and also because the Respondents were acting in their capacity as Group Leader and Manager in dealing with requests relating to group meetings.

The Standards Commission noted, however, that Section 1 of the Code states it applies in all situations and at all times where an individual:

- ▶ is acting as a councillor;
- ▶ has referred to themselves as a councillor; OR
- ▶ could objectively be considered to be acting as a councillor.

In this case, the Standards Commission was satisfied that the Respondents had clearly identified themselves as councillors in their correspondence with the Complainer. The Standards Commission considered it was entirely evident that the Respondents were also acting as councillors when making any decisions or engaging in any discussions on how and when to meet as councillors of the party group, particularly given such meetings were being held to discuss council business. The Standards Commission noted the Respondents only held their positions, as Group Leader and Business Manager, respectively, due to the fact that they were councillors.

The Standards Commission noted that there was no suggestion that the meetings were open to other party members to attend, regardless of whether they were elected members of the Council. Given the meetings were held to discuss council business, the Standards Commission further considered that it would be reasonable for members of the public to consider, objectively, that the Respondents were acting as councillors when discussing or making decisions on such meetings. The Standards Commission concluded, therefore, that the Code applied to both Respondents, in respect of the matter that was the subject of the complaint.

The Standards Commission noted, however, that the ESC had found the Complainer only made a request for reasonable adjustments in late February 2023, in respect of his attendance at party group meetings, following a decision by the group to hold them in-person only. The ESC advised that when raised, the Complainer's concern was discussed and, following another vote by the group, it was agreed he could access the meetings remotely. The ESC had further found that the Council provided equipment to the Complainer, following his election, in accordance with the Council's Reasonable Adjustments Protocol. As such, the ESC advised he had concluded that the factual basis of the complaint had not been established.

The Standards Commission found no reason to depart from the ESC's conclusions in that regard. The Standards Commission was of the view, therefore, that there was no evidence of a breach of the Code. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral.

Case	LA/AB/4099 – Argyll & Bute Council
Date of Referral	16 April 2025
Date of Decision	23 April 2025
The ESC investigated two issues of complaint. The first alleged that the Respondent threatened a business with a visit from his wife (an Environmental Health Officer). The ESC did not find evidence to support the contention that the Respondent threatened the business or had any involvement in his wife's visit. As such the ESC did not find a breach of the Code had occurred in respect of the first issue. The second issue alleged the Respondent abused his position as a councillor by leaving a voicemail for the Complainer, who was on the board of the local housing association, asking him for a favour in respect of obtaining a new property. The ESC reported that while he was unable to access and listen to the voicemail, he had reviewed screenshots of an exchange on social media between the Complainer and Respondent about the matter. The ESC concluded that it was apparent, from this, that the Respondent was acting as a member of the public in seeking information about available properties. The ESC found that when the Respondent was advised that the Complainer did not have any influence in respect of how houses were assigned, the Respondent simply thanked the Complainer and asked about the process for applying for a new property. The ESC advised he had concluded, therefore, that the Respondent was not acting as a councillor during the events in question and, therefore, that the Code did not apply to his conduct. The ESC advised, in any event, he had found no evidence to support any contention that the Respondent used, or sought to use, his influence or position as a councillor in respect of applying for one of the local housing association's properties. As such, he had not found any breach of the Code in respect of the second issue. In considering proportionality, the Standards Commission noted that the ESC had not found any breach of the Code had occurred. Having reviewed the evidence before it, the Standards Commission found no reason to depart from that conclusion. It concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/As/4209 – Aberdeenshire Council
Date of Referral	16 April 2025
Date of Decision	28 April 2025
The complaint was that, in October 2024, the Respondent posted on Facebook a photograph showing her constituent surgery notebook, which contained the personal data of three members of the public. The ESC advised that he had found the open notebook page was only one element of the wider photograph and significant 'zooming in' on the image was required to see any of its details. The ESC advised, however, that he had found that it was possible to 'zoom in' to such a degree that the constituents' names and personal contact details were visible. The ESC concluded, therefore, that the Respondent had posted personal data in breach of the confidentiality requirements in the Code. The ESC noted that the Complainer was not one of the three individuals affected advised that the Respondent had apologised to all three affected constituents. In considering proportionality, the Standards Commission noted that while the ESC had found a breach of the Code, he had also advised that he had found the Respondent published her post in an attempt to raise awareness of her constituency surgery's opening hours. The Standards Commission agreed, therefore, that there did not appear to be any contention or evidence to suggest the apparent breach of the Code was anything other than entirely inadvertent. The Standards Commission further noted that the Respondent had apologised for the error to the constituents affected by it and had subsequently undertaken training on data protection and the Code. In the circumstances outlined above, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/WL/4188 – West Lothian Council
Date of Referral	14 May 2025
Date of Decision	19 May 2025
The complaint concerned a social media post the Respondent published in September 2024, in which he stated that the Complainer (a fellow councillor) was “behaving like a school bully” and “demeaning the privilege of being a councillor”. The ESC reported that he found the Code applied to the Respondent as the biography on his social media account made reference to his status as an elected member and the ward he represented. The ESC advised he had found the Respondent’s post was published in response to a post by the Complainer’s neighbour, Ms A, in which she alleged the Complainer had used the front of her house to park and also told her to “F off”. The ESC advised that while he was of the view that it was reasonable for the Respondent to consider the conduct of the Complainer, as relayed by Ms A, to amount to bullying, it did not appear the Respondent has asked the Complainer whether Ms A’s allegations were true. In the circumstances, the ESC advised he considered that referring to the Complainer as a “school bully” and of demeaning the role of a councillor could have caused reputational damage and accordingly was disrespectful. The ESC advised, nevertheless, that he had considered the Respondent’s enhanced right to freedom of expression. The ESC noted the Respondent had not used offensive or abusive language. The ESC further advised that he considered the Respondent’s remarks in his post to amount to value judgements (or opinions) that had a sufficient basis in fact (even if incorrect). The ESC advised that, in the circumstances, he had concluded that a restriction on the Respondent’s right to freedom of expression that a formal finding of a breach of the Code would entail could not justified. In considering proportionality, the Standards Commission agreed with the ESC that it was very unlikely that the conduct in question would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on the Respondent’s right to freedom of expression It further that the Respondent’s remarks would likely be considered to be value judgements with a sufficient basis in fact (even if inaccurate or untrue). Having taken into account the nature of the potential breach and the likelihood of the Respondent’s conduct being protected by his enhanced right to freedom of expression, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral.	

Case	LA/NA/4080 – North Ayrshire Council
Date of Referral	15 May 2025
Date of Decision	19 May 2025
The complaint concerned a failure by the Respondent to declare an interest at two meetings, in respect of a planning application. This was despite him being employed by the agency marketing the building plots that were the subject of the application, and despite being an associate of a director of the applicant company. The ESC reported that he had found the Respondent was only employed by the marketing agency on a casual basis. The ESC advised he did not consider the Respondent would have been aware of any pre-existing, private agreement that had been reached between the agency and developers. The ESC noted, in this regard, that a historic business relationship between them was not evidence, in itself, of a pre-existing agreement that the agency would be chosen to market the plots. The ESC advised that he had further found that while they knew each other, there was not any evidence of a close and ongoing relationship between the Respondent and the company director. The ESC advised that, in the circumstances, he was of the view that members of the public, with knowledge of these relevant facts, would not regard the Respondent’s connections as being so significant as to be likely to impact on his discussion or decision-making on the planning application. As such, the ESC concluded the objective test was not met and the Respondent’s connections did not amount to interest that required to be declared. The ESC concluded that there was no evidence of a breach of the Code. In considering proportionality, the Standards Commission noted that the ESC had not found any breach of the Code had occurred. Having reviewed the evidence before it, the Standards Commission found no reason to depart from that conclusion. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/NA/4211 – North Ayrshire Council
Date of Referral	19 May 2025
Date of Decision	21 May 2025
The complaint concerned a post the Respondent published on social media in November 2024 in which he stated that the Chairman and a founding member of an anti-racism campaign group had organised “the balaclava wearing anti-Protestant bigots from GB [Green Brigade] to turn up to disrupt a legally approved march”. The ESC reported he had found the Respondent posted the comment in response to a newspaper article. The article reported the Chairman of the campaign group had been reported to the police for alleged sectarian comments at a rally in September 2024. The ESC advised the Respondent was able to provide media articles referring to a balaclava-clad group, with photos of protestors wearing balaclavas in Green Brigade colours. The ESC advised that the Respondent also provided a screenshot of a social media post in which the Chairman shared one of these photos and commented “fantastic display from the Green Brigade”. The ESC advised he did not consider the Respondent’s post was extreme or offensive in the sentiment he expressed. In this regard, the ESC noted the Respondent had not used any profanities, or offensive or abusive language. The ESC advised that, in the circumstances, he did not consider the Respondent’s conduct met the threshold for amounting to a breach of the Code. The ESC further advised that he considered, in any event, that as the Respondent was expressing a value judgement or opinion that had some basis in fact. Given this and the fact that the Respondent had not used offensive language, the ESC concluded that a restriction on his freedom of expression, that a formal finding of a breach of the Code would entail, could not be justified. In considering proportionality, the Standards Commission agreed with the ESC that it was very unlikely that the conduct in question would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on the Respondent’s right to freedom of expression. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral.	

Case	LA/AC/4206 – Aberdeen City Council
Date of Referral	19 May 2025
Date of Decision	21 May 2025
The complaint was that, at a meeting of the Council in October 2024, the Respondent mocked the Complainer (another councillor) by using exaggerated hand and body movements to mimic her actions as she spoke. The ESC reported that having viewed the webcast of the meeting in question, he found the Respondent was mimicking the Complainer’s gestures to mock her, which could be considered as a personal attack. The ESC advised he had found, however, that the Respondent did so to express his frustration with the Complainer’s position on the issue under debate. The ESC noted the Complainer was speaking in a public forum during a council debate on a contentious local issue and that robust exchanges were not unusual in such a context and, indeed, were generally accepted as part of democratic discourse. The ESC noted that the Complainer was not in a vulnerable position and was able to respond immediately to the Respondent’s comments at the time. In addition, the ESC advised that the Respondent proffered an immediate apology and the Complainer had been able to continue with her contribution to the debate. The ESC reported he had concluded, therefore, the Respondent’s conduct was not sufficiently serious as to meet the threshold for amounting to breach of the disrespect or bullying and harassment provisions in the Code. The ESC advised, in any event, that he did not consider the Respondent’s conduct was so gratuitously offensive, abusive, or shocking as to justify a restriction on his freedom of expression. In considering proportionality, the Standards Commission agreed with the ESC that it was very unlikely that the conduct in question would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on the Respondent’s right to freedom of expression. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral. The Standards Commission nevertheless reminded the Respondent that the requirement for councillors to behave in a respectful and courteous manner, at all times, is a fundamental requirement of the Code. The Standards Commission noted a failure to do so can undermine public confidence in the role of an elected member and the council itself.	

Case	LA/I/4085 – Inverclyde Council
Date of Referral	21 May 2025
Date of Decision	26 May 2025
The complaint concerned the Respondent’s conduct at a Council meeting in February 2024, when he interrupted a female councillor and said: ‘you can sit down’. The Complainers considered this to be misogynistic. The ESC advised the Respondent admitted making the comment as alleged. The ESC advised that, having viewed the webcast of the meeting, he had found that the other councillor publicly challenged the Respondent on his comment and continued to participate in the meeting. He further found the Respondent apologised to the Provost during the meeting, and immediately after the meeting, to the other councillor. The ESC further advised that he had found no evidence to support the contention that the Respondent made the comment to the other councillor because she was a woman or that he would not have made a similar comment to a man. The ESC advised he had watched the webcast of the meeting in its entirety and had not found evidence of the Respondent communicating differently with male and female colleagues. The ESC concluded, in the circumstances, that the Respondent’s conduct would not meet the threshold for amounting to a breach of the Code. In considering proportionality, the Standards Commission noted that the ESC had not found the Respondent’s conduct would amount to a breach of the Code. Having reviewed the evidence before it, the Standards Commission found no reason to depart from that conclusion. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	

Case	LA/H/4113 – Highland Council
Date of Referral	22 May 2025
Date of Decision	26 May 2025
There were two issues of complaint. The first alleged the Respondent attended the Complainer’s shop and threatened that the Council would dispose of its sign if it was not moved to another part of the pavement. The second issue was that the Respondent commented on a Facebook post made by a neighbouring business owner to the effect that she would pay the Complainer a visit. The ESC advised that the Respondent accepted he had advised the Complainer that councillors officers may move the sign if she did not do so. The ESC advised he considered the Respondent would be entitled to provide advice to this effect and doing so would not, therefore, amount to a breach of the Code. The ESC further advised he had been unable to find any other evidence to support the Complainer’s contention about the comment on Facebook. The ESC noted, in any event, the Respondent’s alleged conduct, in simply saying she would pay the Complainer a visit, in a comment on Facebook, would not amount to a breach of the Code, given she would be entitled to do so. In considering proportionality, the Standards Commission noted that the ESC had not found the Respondent’s conduct would amount to a breach of the Code. Having reviewed the evidence before it, the Standards Commission found no reason to depart from that conclusion. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	



Case	LA/EL/4051 – East Lothian Council
Date of Referral	27 May 2025
Date of Decision	29 May 2025
There were three issues of complaint regarding the conduct of five Respondents, in respect of how they dealt with a planning application that came before them as members of the Council's Planning Committee at a meeting in November 2023. The ESC advised that the first issue alleged that the Respondents pre-determined the application, in collaboration with council officers. The ESC advised he was not provided with, and had not found, any evidence to support the Complainer's contention in this regard. The ESC advised that the second issue alleged the Respondents acted disrespectfully and unfairly towards the Complainer and other objectors at the meeting. The ESC advised that, having reviewed the webcast, he had not found this to be the case. The ESC reported that the third issues was that parties who submitted individual written representations were not advised of a site visit, in accordance with the Council's Standing Orders. The ESC reported that while he found this to be the case, provision of such notice would be the responsibility of officers, not elected members. The ESC advised, therefore, that he had not found a breach of the Code in respect of any of the issues. In considering proportionality, the Standards Commission noted that the ESC had not found any breach of the Code had occurred. Having reviewed the evidence before it, the Standards Commission found no reason to depart from that conclusion (and, indeed, noted the third issue did not allege any wrongdoing on the part of the Respondents). In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	



Case	LA/G/4160 – Glasgow City Council
Date of Referral	9 June 2025
Date of Decision	11 June 2025
There were two issues of complaint regarding concerning the Respondent's conduct at a Contracts and Properties Committee meeting in June 2024 at which an application from a development trust to lease land (being a football pitch and pavilion) was being considered. The first issue was that the Respondent displayed bias against the Development Trust at the meeting. The ESC advised he had found the Respondent raised concerns about issues relating to parking, loitering and noise pollution. The ESC advised, however, that he had found that as the decision on the application was discretionary, and was not quasi-judicial or regulatory in nature, the Respondent would be entitled to raise such matters. The second issue was that the Respondent suggested that all profits that could be generated from the assets should be "kicked back" to local groups using the park in which they were located. The Complainer considered this equated to a suggestion that the Development Trust, which was a charitable organisation, could be extorted. The ESC advised, however, that he did not consider that the phrase inherently suggested extortion or any form of illegal activity. The ESC further advised that he was of the view, in any event, that anyone present at the meeting or watching the webcast of it, would understand that the Respondent was raising the possibility of the profits being used to potentially benefit other users of the park. The ESC advised, therefore, he had not found the Respondent's conduct amounted to a breach of the Code. The Standards Commission found no reason to depart from the ESC's conclusion. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	

Case	LA/EL/4126 – East Lothian Council
Date of Referral	11 June 2025
Date of Decision	16 June 2025

There were two issues of complaint. The first concerned the Respondent's use of council IT equipment to produce supporting documents for a planning application by a local Community Development and Heritage Trust. The ESC advised he had not found that the Respondent used the IT equipment imprudently, unlawfully, improperly or for party political purposes. The ESC further advised he had found the Respondent's use fell within the scope of the Council's IT Policy (which allowed for some personal use). As such, the ESC advised he had concluded there had not been a breach of the Code in respect of the first issue.

The second issue concerned a failure to register a life membership of a local football club. The ESC advised that the Respondent had stated he was unaware he had been made a life member of the club in question. The ESC stated "while, in the interests of openness and transparency, it would have been appropriate to record the membership had the Respondent been aware of it, the fact remains that it was unknown to him". The ESC noted the Respondent could not register an interest of which he was unaware and, as such, concluded the Code had not been breached in respect of the second issue. The ESC noted, in support of his conclusion that there was "no evidence he [the Respondent] ever used or benefited from the membership in any way that relates directly to, or has an impact on, his role as a councillor".

In considering proportionality, the Standards Commission noted, in respect of issue one, that the ESC, in his report, had not found the Code to have been breached. Having reviewed the referral carefully, the Standards Commission did not find any reason to depart from the ESC's conclusions in respect of the issue.

Turning to issue two, the Standards Commission noted that councillors are required to register any non-financial interests if the objective test is met. The Standards Commission noted the objective test was whether the councillor's interest was something that members of the public, with knowledge of the relevant facts, might reasonably think could influence their actions, speeches, votes or decision-making at the Council. As such, the test was not:

- ▶ whether there was any evidence the councillor in question ever used or benefited from their interest in any way that related directly to, or has an impact on, their role as a councillor; or
- ▶ whether registering the interest was in the interests of openness and transparency (and therefore appropriate).

The Standards Commission noted it appeared the ESC had accepted, at face value, the Respondent's contention that he was unaware of the life membership. The Standards Commission nevertheless considered that it was unlikely the objective test would be met, given the relevant facts would include the fact that the Respondent did not pay to be a life member of the Club and, as he was not on the Club's board and did not appear to have any role in respect of its management or the decisions it made.

Having taken into account the above factors, the Standards Commission concluded that it was not proportionate for it to hold a Hearing on either issue of complaint. The Standards Commission determined, therefore, to take no action on the referral.

Case	LA/EL/4224 – East Lothian Council	
Date of Referral	25 June 2025	
Date of Decision	30 June 2025	
The referral concerned whether the Respondent should have declared an interest, being her employment as a Caseworker for an MSP, who was also the Minister for Housing, at a Council Meeting in November 2024 when the Council was debating a motion on whether to declare a housing emergency. The ESC advised he accepted “that a reasonable member of the public would understand that an individual serving as both an MSP and a Minister holds two distinct roles”, but advised that it was his view that “the nature of the employment relationship between the Respondent and the Minister for Housing is sufficiently significant that, even with this understanding, a member of the public might reasonably perceive a risk that the Respondent could have been influenced by the Minister of Housing as he is still her employer”. As such, he had found the objective test was met and the Respondent’s employment amounted to an interest that she should have declared at the meeting. The ESC advised he had concluded that the Respondent’s failure to declare the interest amounted to a breach of the Code. In considering proportionality, the Standards Commission noted councillors were required, by the Code, to declare an interest, where the objective test is met. The objective test is where a member of the public, with knowledge of the relevant facts would reasonably regard the councillor’s connection to a particular matter as being so significant that it would be considered as being likely to influence their discussion or decision-making on the particular matter. As such, the objective test required a higher threshold than simply being whether a connection could influence a councillor’s discussion and decision-making, or whether there is a risk it could do so. In this case, the Standards Commission considered the relevant facts would include that: • The Respondent worked for the MSP’s constituency office (meaning she worked for him in his capacity as an MSP, not his capacity as Housing Minister). • The matter being considered by the Council was whether to declare its own housing emergency. While the Standards Commission noted that if this motion had passed, the Council would be writing to the Respondent’s employer (in his capacity as Housing Minister) to seek funding, it considered this was a step that would follow, consequentially, from the motion, and would not have any inherent bearing on the decision on the motion itself. • The subject matter of the motion was wide and, as such, it was likely that the main political parties would have an agreed or established position in respect of it. The Standards Commission was of the view that a member of the public, with knowledge of these relevant facts, would not reasonably regard the Respondent’s employment as being so significant as to be likely to influence her discussion or decision-making. Instead, the Standards Commission considered that a member of the public, with knowledge of these relevant facts, would reasonably regard the Respondent’s party affiliation as being much more likely influence her discussion and decision-making on the motion at the meeting. As such, the Standards Commission considered that it was unlikely that a finding would be made at a Hearing that the objective test would be met. Having taken into account the above factors, the Standards Commission concluded that it was not proportionate for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.		

Case	LA/Fa/4202 – Falkirk Council
Date of Referral	27 June 2025
Date of Decision	2 July 2025

The referral concerned the Respondent's use of council resources (a printer, laptop and paper) to print 27 pages relating to a complaint she was making to a political party about the conduct of a third person.

The ESC advised that the Council's Acceptable Use of Information and Communications Technology Resources Policy allowed for some incidental personal use. The Council's Monitoring Officer advised that, in practice, personal printing was accepted provided it was "limited and occasional", given the limited costs it involved. The Monitoring Officer advised that as the current cost for printing a page was £0.0019, he did not consider the cost of the printing in question would take the matter beyond that which could be tolerated, in terms of the policy, as acceptable personal use.

The ESC reported he had found, nevertheless, that there had been media reporting on the matter. The ESC acknowledged that the Respondent had not spoken to the media but considered that as her personal use of Council resources was in the public domain, it had "the potential to bring the Council into disrepute, particularly given the current constraints on public spending". The ESC advised he considered, therefore, that the Respondent "acted imprudently and improperly in using Council resources to serve her own ends". As such, the ESC advised he had concluded that the Respondent breached the Code.

In considering proportionality, the Standards Commission noted that the Code states that Councillors may only use Council equipment for carrying out Council duties in accordance with their 'Councils relevant policies'. The Standards Commission noted that the Monitoring Officer had advised that he considered the amount of printing undertaken to be acceptable in terms of the Council's policy (and practice). The Standards Commission further noted that there did not appear to be any evidence to support the conclusion that the Respondent was using the resources to make the complaint about the third person for party political purposes (or any evidence she had made this public). As such, the Standards Commission was not satisfied this was based on anything other than an assumption. Given the limited extent and cost of the printing, and given she had very limited control over any media reports on the matter, the Standards Commission did not consider it could be said that the Respondent's conduct, in itself, could have, or indeed did, bring the Council into disrepute.

Given the apparent impact or consequence of the alleged breach of the Code was minimal, the Standards Commission was not persuaded that it was in the public interest or proportionate to hold a Hearing. It determined to take no action on the referral.

Case	LA/E/4189 – City of Edinburgh Council
Date of Referral	7 July 2025
Date of Decision	8 July 2025
The referral concerned an allegation that, in December 2023, after a political group Christmas party held in the Council Chambers, the Respondent said to a female council employee: ‘you are only sitting next to [another named councillor] as you make him look good’. The Complainer, another elected member, contended this comment was disrespectful, discourteous and discriminatory towards the employee. The ESC advised that while the discussion was between a group of party attendees, it took place in a separate room. The ESC considered, nonetheless, that it should be viewed as an extension of the social event. The ESC further noted that: the Respondent was not invited to the party solely on the basis he was a councillor (as members of the public were present); the Respondent did not refer to himself as a councillor when he made the alleged comment; and there was no evidence that the Respondent made the alleged comment in a political context or that the comment was in any way linked to his councillor role. The ESC advised he had concluded, therefore, that the Code did not apply to the Respondent’s conduct. In considering the application of the Code to the Respondent’s alleged conduct, the Standards Commission noted that: - It took place in a Council building. - The invitation to the event was issued by the Liberal Democrat Council Group. - The employee attended the event, and knew the Respondent, as a result of her employment as a council officer. - The Respondent attended the event because he was a Liberal Democrat councillor. In the circumstances, the Standards Commission considered the Code could apply to the Respondent’s conduct. The Standards Commission noted that the ESC had identified, in his report, a case where the Standards Commission had previously determined the Code did not apply. The Standards Commission did not agree that case was analogous to the current one. This was because, in that case, the Respondent was attending an event for members of a political party that was unconnected to the Council, held in a conference venue in a different city to the one the Respondent in question represented. In addition, the conduct that was the subject of that complaint occurred in a taxi and private residence after the event. The Standards Commission noted that when interviewed by the ESC’s Investigating Officer, the employee concerned advised the complaint did not reflect her recollection of what was said. The employee further advised that had it not been the case that other councillors were aware of the Respondent’s alleged comment, she would not have thought it necessary to report the matter. Taking all this into account, the Standards Commission was not satisfied, even if it was established the Respondent had made comment as alleged, that doing so would meet the threshold as to amount to a breach of the respect (or any other) provision in the Code. This was because the remark was not particularly offensive in nature. The Standards Commission further considered it was open to interpretation and noted the employee did not appear to have taken it in the same manner as the Complainer. The Standards Commission was further of the view that, even if it was established that the comment was made as alleged and did amount to a breach of the Code, it was highly unlikely that a restriction on the Respondent’s right to freedom of expression could be justified. In considering whether it is proportionate to hold a Hearing, the Standards Commission noted that while the alleged comment was made in December 2023, the complaint was not made until September 2024. The Standards Commission noted that it would have expected the complaint to have been made at a much earlier stage had the Complainer, or anyone else, been concerned about the alleged impact on the employee. Having taken into account all of the above factors, the Standards Commission concluded that it was neither in the public interest nor proportionate for it to hold a Hearing and determined, therefore, to take no action on the referral.	

Case	LA/NL/4142 – North Lanarkshire Council
Date of Referral	4 July 2025
Date of Decision	7 July 2025
The complaint, made on behalf of a political party, was that during a public meeting of the full Council in May 2024, the Respondent delivered a pre-prepared and orchestrated speech that represented an attack on the political party's members, made defamatory and unfounded assertions about their conduct and encouraged Council officers to complain about them. The ESC advised that he had found the Respondent expressed views about the perceived behaviour of the political party's members during his speech, which amounted to personal comments about them. The ESC acknowledged that this was arguably detrimental to the party's reputation and relationship with other council officers and fellow councillors. The ESC noted, however, that the Respondent was entitled to express his opinion on how other councillors, as fellow politicians, were behaving. The ESC advised he did not consider that the Respondent's conduct in doing so would meet the threshold required to amount to a breach of the Code. In any event, the ESC advised he considered the Respondent was expressing value judgements rather than statements of fact and, as such, had concluded that a restriction on his right to freedom of expression that a formal finding of a breach of the Code would entail would not be justified. The Standards Commission noted that the ESC, in his referral, had reached the conclusion that the Respondent's conduct did not amount, on the face of it, to a breach of the Code. Having reviewed the report, the Standards Commission had no reason to depart from the ESC's conclusion. In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral.	

Case	LA/SA/4269 – South Ayrshire Council
Date of Referral	21 July 2025
Date of Decision	22 July 2025
The complaint concerned an allegation that, at a Council meeting in December 2024, the Respondent was disrespectful towards the Complainer (another elected member). The ESC reported that, having watched a webcast of the meeting, he had found the Respondent stated: "I would however, advise [the Complainer], the deal you have reached to get the position comes at a price". The ESC advised that the Complainer contended that in making this statement, the Respondent was suggesting he (the Complainer) had accepted a bribe or had taken some other unethical or inappropriate action in order to obtain the position of Chair of a Council Panel. The ESC further advised that the Respondent denied the allegation and contended the 'deal' to which he had referred was one of a political nature, and that the reference to 'price' was to the political price of making such a deal. The ESC advised that he considered the Respondent's position in this regard was supported by other comments he had made during the meeting. The ESC advised he had concluded that it was evident the Respondent was simply referring to a political deal between the Complainer and a political group. The ESC noted such a deal was legitimate and not unusual in politics. As such, any criticisms levelled by the Respondent at the Complainer for accepting such a deal would not amount to disrespect in terms of the Code. The Standards Commission found no reason to depart from the ESC's conclusion that the conduct would not amount to a breach of the Code. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	

Case	LA/H/4146 – Highland Council
Date of Referral	8 August 2025
Date of Decision	11 August 2025
The complaint concerned an allegation that, at a public meeting organised by a local resident in June 2024, the Respondent made a specific recommendation for a pylon line to be moved away from the meeting organiser's property. This was despite the Respondent having a connection to the organiser. The ESC advised he had found that as the Respondent wore his Council lanyard and had self-identified as a councillor when attending the meeting, the Code applied to his conduct. The ESC noted, however, that a private company was responsible for the pylon and that that, as a councillor, the Respondent had no formal role or decision-making authority in relation to the company or the location of the pylon line. The ESC advised that the purpose of the meeting was for the property's owner to gain public support to lobby the private company. The ESC advised that the Council had no involvement in this. The ESC reported that he had concluded, therefore, that the Respondent could not be perceived reasonably as seeking preferential treatment for someone he knew, in his role as a councillor. As such, the ESC advised he had not found any breach of the Code. The Standards Commission noted the ESC did not consider the Respondent's conduct would amount to a breach of the Code and found no reason to depart from his conclusions in that regard. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	

Case	LA/I/4235 – Inverclyde Council
Date of Referral	8 August 2025
Date of Decision	12 August 2025
The first issue of complaint concerned to an alleged failure by the Respondent to declare an interest when he informally suggested to officers that an individual be considered for appointment as Chair of a town board, despite the individual in question being the director of the company from which the Respondent rented his residential property. The ESC advised he found that the Respondent had not approached the individual to discuss the position and, further, that he had no involvement in the final decision to appoint him to the town board. The ESC considered, nevertheless, that the objective test was met and, accordingly, that the Respondent should have declared in the interest when discussing the matter with officers. The ESC advised that the Respondent now accepted he should have done so. The second issue concerned an allegation that the Respondent, having sold his property at lower than the market value, continued to live there and either paid no rent, or rent at a level that was lower than the market rate. The ESC advised the Complainer considered this constituted a "gift" that should have been declared. The ESC advised he had concluded the Code did not apply as the matter concerned the Respondent's private life. The ESC noted, in any event, that the arrangement would not constitute a gift, under the Code, as neither the purchaser of the Respondent's property, nor the company that subsequently purchased it, had any business dealings with the Council at the time. In considering proportionality, the Standards Commission accepted, in respect of issue one, that the requirement to declare an interest applies both in formal and informal dealings with Council officers, not just in formal Council or committee meetings. The Standards Commission nevertheless noted that the ESC had found the Respondent was not involved in making the appointment, and that he now accepted he should have declared his connection to the individual when speaking to officers. The Standards Commission further noted the ESC did not consider there was any evidence to suggest any inappropriate motive behind the Respondent's suggestion. In the circumstances, and given the impact or consequence of the alleged breach of the Code appeared to be minimal, the Standards Commission was not persuaded that it was proportionate to hold a Hearing. Turning to issue two, the Standards Commission noted the ESC had not found any breach of the Code and found no reason to depart from his conclusions in that regard. Having taken into account the above factors, the Standards Commission concluded that it was not in the public interest or proportionate for it to hold a Hearing and determined, therefore, to take no action on the referral.	

Case	LA/WL/3903 – West Lothian Council
Date of Referral	8 August 2025*
Date of Decision	13 August 2025

* Having received a report on 17 April 2025, the Standards Commission directed the ESC to undertake further investigation on 25 April 2025. The further investigation report was received on 8 August 2025.

The ESC investigated one issue of complaint, being that after a Council Committee meeting in February 2023, the Respondent assaulted the Complainer (a fellow councillor) by way of a blow to the back. A Justice of the Peace Court decided, in October 2024, that the Crown failed to prove its case, and the Respondent was not guilty of assault in respect of the alleged incident.

Having interviewed numerous witnesses and obtained the evidence from the Justice of the Peace Trial, the ESC found, on balance, that a rucksack or bag the Respondent had with her hit the Complainer on his back. The ESC considered, however, that there was insufficient evidence to prove, on the balance of probabilities, that the Respondent assaulted the Complainer. This was because there were no eyewitnesses to, and no recording of, the incident and there were several conflicting accounts about what had happened. In addition, the ESC considered “the Respondent’s submission that she was carrying a bag that may have ‘hit’ the Respondent is more credible and plausible than her having physically assaulted him”. Given this, the ESC did not consider the factual basis of the complaint was proven.

In considering proportionality, the Standards Commission noted that it was possible to assault someone by hitting them deliberately with a bag. The Standards Commission noted that the ESC had not expressed a view as to whether he considered, on the balance of probabilities, that the Respondent’s actions were deliberate. The Standards Commission considered, nevertheless, that the only person who knew whether the ‘blow’ was intentional or not was the Respondent. It noted the Respondent had consistently stated that it was not her intention and had offered a plausible alternative explanation, being that her rucksack may have struck the Complainer as she lifted it over or past him. Given this had been her consistent position and was not disproved by evidence given under oath in Court, the Standards Commission did not believe the Respondent’s position on this would change. The Standards Commission noted that new evidence from a witness (that had not been before the Court) appeared to support the Respondent’s version of events.

The Standards Commission noted that, sadly, the only other witness who seemed to have seen any physical contact between the Respondent and the Complainer on the day in question had passed away. Although this witness had told the Council’s Chief Executive, after the event, that he considered the incident to be an assault; his evidence could no longer be tested and he could not be asked why that had been the case. The Standards Commission considered that as:

- ▶ the evidence that had been identified to date, and tested in Court, was inconclusive;
- ▶ there were no other eyewitnesses to what occurred; and
- ▶ nothing more definite had been unearthed as a consequence of the further investigation;
- ▶ it was unlikely that fresh or new evidence would be found or led at a Hearing.

In the circumstances, the Standards Commission concluded it was not in the public interest or proportionate for it to hold a Hearing and determined, therefore, to take no action on the referral.

Case	LA/SB/4302 – Scottish Borders Council
Date of Referral	11 September 2025
Date of Decision	15 September 2025
The ESC investigated two issues of complaint. The first alleged that the Respondent repeatedly shouted at the Complainer, a member of the public, and told him to leave a community council meeting in March 2025. The ESC advised he had found the Complainer and his partner had interrupted the meeting. An argument then ensued between the Complainer, his partner, and the members of the community council. The Complainer provided an eight-minute video recording of the incident, which his partner had recorded on her phone. The ESC advised that, having viewed the recording, he had not found evidence to support the contention that the Respondent shouted at the Complainer. The ESC reported he had found the Respondent advised the Complainer he would call the police if he [the Complainer] did not leave the meeting. The ESC advised, however, that he considered the Respondent's actions in doing so were justified in the circumstances and would not amount to a breach of the Code. The second issue alleged the Respondent used his connections and position as a councillor to disadvantage and intimidate the Complainer, when he reported him to the police about the community council meeting. The ESC reported that he found this issue to be speculative in nature and not proven. As such, he had not found any breach of the Code in respect of the second issue. In considering proportionality, the Standards Commission noted that the ESC had not found any breach of the Code had occurred. Having reviewed the evidence before it, the Standards Commission found no reason to depart from that conclusion. In the circumstances, the Standards Commission concluded that it was not in the public interest or proportionate for it to hold a Hearing and determined to take no action on the referral.	

Case	LA/I/4270 – Inverclyde Council
Date of Referral	25 September 2025
Date of Decision	2 October 2025
The ESC investigated one issue of complaint, being that the Respondent disclosed confidential information (being that the Complainer was the subject of an investigation by the ESC) at a full Council meeting in March 2025 and in a social media post the following day. The ESC reported that while allegations about the alleged conduct of the Complainer had been the subject of press coverage in November and December 2024, none mentioned any investigation being undertaken by his office. The ESC advised the Respondent was interrupted and reminded about the need to maintain confidentiality when she made the statement during the Council meeting. The ESC advised, however, that she published a post on her Facebook page the next day in which she included the full transcript of the speech she would have delivered at the meeting had she not been interrupted. The ESC advised that post included a further reference to his office's investigation of the Complainer. The ESC advised that he considered that by disclosing the existence of the investigation into the Complainer at the meeting, the Respondent disclosed confidential information in breach of the Code. The ESC advised nevertheless that he considered the Respondent's remarks to amount to value judgements (or opinions) that had a sufficient basis in fact (even if incorrect). The ESC advised that, in the circumstances, he had concluded that a restriction on the Respondent's right to freedom of expression, that a formal finding of a breach of the Code would entail, could not be justified. In considering proportionality, the Standards Commission agreed with the ESC that it was unlikely that the conduct in question would be found to be sufficiently egregious as to justify a restriction on the Respondent's right to freedom of expression. This was because the allegations that formed the basis of the ESC's investigation of the Complainer had already been in the public domain before the council meeting and, therefore, it would be reasonable for members of the public to assume that the Complainer's alleged conduct was being investigated. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/S/4221 – Stirling Council
Date of Referral	3 October 2025
Date of Decision	7 October 2025

The ESC investigated three alleged incidents. The first was that at a board meeting of a local enterprise company in April 2024, the Respondent was verbally disrespectful towards the Complainer (who was chairing the meeting), by interrupting him, pulling faces and rolling her eyes during his contributions. The second incident was that after the meeting, the Respondent stated to a director of the company that the Complainer did not like women. The third incident was that at a board meeting in November 2024, the Respondent stated that the Council was a majority shareholder of the company, that its directors were answerable to the shareholders (not the other way around), and that the Council could wind it up if it so decided.

The ESC reported that he had found the Respondent had behaved as alleged and that her conduct amounted, on the face of it, to a breach of the respect and courtesy provisions in the Code. The ESC advised, however, that he did not consider the Respondent's conduct to be so excessive, offensive, bad or shocking as to justify a restriction of her right to freedom of expression. In reaching this decision, the ESC advised that he considered, in respect of the second incident, that it was evident the Respondent was expressing a value judgement, or opinion, about the Complainer, which she was entitled to do even if it was factually inaccurate. In respect of the first and third incidents, the ESC advised he considered the Respondent was essentially expressing criticism of the Complainer's views on the matters and his decisions. The ESC noted that the Respondent was entitled to express such views. The ESC advised that, as such, he had concluded a breach of the Code could not be found.

The Standards Commission noted that the Respondent's conduct in respect of the first two incidents could be found to be disrespectful at a Hearing. The Standards Commission agreed with the ESC, however, that it was very unlikely that the conduct in question would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on the Respondent's right to freedom of expression. Having taken this and the nature of the potential breach into account, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. It determined to take no action on the referral.



Case	LA/C/4271 – Clackmannanshire Council
Date of Referral	6 October 2025
Date of Decision	7 October 2025
The ESC investigated two issues of complaint. The first was that the Respondent failed to declare an interest as a director of a Business Improvement District (BID) at a Council meeting in January 2025. While the ESC advised he had found the Respondent had not declared an interest and withdrawn from the meeting, he did not consider the Respondent's connection (as a director of the BID), to the specific agenda item to be considered would reasonably be regarded by a member of the public, with knowledge of the relevant facts, as being so significant that it would be considered as being likely to influence his discussion or decision-making. As the objective test had not been met, the ESC concluded that the Respondent's connection did not amount to an interest that required to be declared. The second issue was that the Respondent failed to register his appointment to the BID within one month, as required by the Code. The ESC advised he accepted the Respondent had incorrectly assumed that, as he was appointed to the position by the Council, either he did not need to register the appointment or that council officers would register it for him. The ESC noted, however, that it was the Respondent's responsibility to ensure his register of interests was updated within one month, and that he could have sought advice from the Council's Monitoring Officer if he was in any doubt about the Code's requirements in this regard. The ESC advised he had found that the failure to register the interest timeously amounted to a breach of the Code. The ESC noted, nevertheless, that as the Respondent referred to his appointment at a council meeting, he did not consider the Respondent was trying to conceal the appointment, and that he had updated his register of interests when notified of the complaint. The Standards Commission found no reason to depart from the ESC's conclusion that the Code had not been breached in respect of the first issue. Turning to the second issue, the Standards Commission noted that the Respondent accepted that he should have registered his appointment timeously and that there was no evidence to suggest he had tried to conceal his interest. The Standards Commission agreed, therefore, that it had no reason to doubt that the breach of the Code was inadvertent. In the circumstances, the Standards Commission concluded that it was not proportionate for it to hold a Hearing in respect of the complaint and determined to take no action on the referral. The Standards Commission nevertheless agreed that the Respondent should be reminded of the importance of adhering to provisions in the Code concerning the timeous registration of interests, as these allow for transparency and help ensure the public can have confidence that elected members are making decisions in the public interest.	

Case	LA/AN/4925a – Angus Council
Date of Referral	10 October 2025
Date of Decision	14 October 2025
The ESC advised that he had investigated one issue of complaint about two Respondents, concerning social media posts they had published in June 2024, in respect of the behaviour of the Complainer (also a councillor and, at the time, the Council's Provost) towards another elected member at a Council meeting that month. The ESC reported that the first Respondent stated, in his post, that the way the Complainer had spoken to the other elected member was "absolutely vile" and nothing less than "intimidation and bullying." The first Respondent further stated the Complainer should resign as Provost. The second Respondent also stated, in her post, that the Complainer should resign as Provost and contended that it was "not the first time we've witnessed an embarrassing outburst from him". The ESC advised that he did not consider either Respondent had made derogatory comments of a personal nature and, instead, had expressed genuinely held concerns about behaviour they had witnessed. The ESC acknowledged that the Respondents could have made their comments directly to the Complainer, rather than publicly on social media. The ESC noted, however, the Complainer's conduct at the meeting was already the subject of press reporting and, therefore, was a matter of public interest. The ESC advised that, in the circumstances, he did not consider that the Respondents' conduct would meet the threshold required to amount to a breach of the Code. The ESC advised, in any event, that as he considered both Respondents were expressing value judgements (or opinions) rather than statements of fact, a restriction on their right to freedom of expression could not be justified. In considering proportionality, the Standards Commission had no reason to depart from the ESC's conclusion. In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral.	

Case	LA/NA/4340 – North Ayrshire Council
Date of Referral	13 October 2025
Date of Decision	15 October 2025
The ESC advised that he had investigated one issue of complaint concerning a social media post published by the Respondent, in June 2025, in which he stated an MSP used his Parliamentary-issued tablet to run up a substantial "taxpayer bill for watching porn – sorry, football – and then lied about it repeatedly!" The ESC advised that there was no dispute the Respondent published the post, as alleged. The ESC advised that while he found the comment in the post to be satirical in nature, he nevertheless considered that it was disrespectful and, on the face of it, a breach of the Code. This was because there was no suggestion the MSP had used the tablet to watch pornography and the suggestion he had done so (without any evidence whatsoever), would bring his character and integrity into question. The ESC advised that he was of the view, however, that a restriction on the Respondent's right to freedom of expression that the finding of a breach of the Code would entail, could not be justified. In reaching this conclusion, the ESC noted the Respondent deleted the post, did not use profanities or personal abuse, and was essentially expressing a view (or value judgement) on the conduct of the MSP in question. In considering proportionality, the Standards Commission had no reason to depart from the ESC's conclusion. In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral.	



Case	LA/G/4223 – Glasgow City Council
Date of Referral	13 October 2025
Date of Decision	16 October 2025
The ESC reported that he had investigated one issue of complaint, being that at a public Licensing Board meeting, the Respondent referred to submissions made by a health board officer as “astonishing”, and was dismissive of her responses and employed a derogatory and aggressive tone. The ESC advised that, having interviewed witnesses and reviewed a transcript of the meeting, he had found the issue established, but only to the extent the Respondent asked the officer whether she was being serious, and referred to her submissions as “astonishing” on more than one occasion. The ESC advised he had found, on the face of it, that doing so was a breach of the respect provision in the Code. This was because the ESC considered that, by using such terminology, the Respondent made his concerns about the objection personal to the officer, as opposed to the health board (on whose behalf she was appearing in order to present objections). The ESC reported that he had concluded, however, that a restriction on the Respondent’s right to freedom of expression could not be justified. In reaching this conclusion, the ESC noted the officer was experienced and relatively senior (and, as such, it would be reasonable to consider she would be accustomed to working in an environment where robust questions were asked). The ESC further noted the Respondent, as a board member, was entitled, and expected, to scrutinise the evidence and submissions presented. In addition, the ESC acknowledged that the Respondent did not make any personal derogatory remarks about the officer, did not speak over her and did not continue to question her after she said she felt emotional. In considering proportionality, the Standards Commission noted, from the witness evidence as summarised in the ESC’s report, that the Respondent was clearly surprised by what appeared to be an inconsistent position taken by the statutory consultee. In the circumstances, it did not consider his use of the words ‘astonished’ and ‘astonishing’ to be unreasonable or disrespectful. The Standards Commission further considered that the Respondent’s use of the phrase “are you serious” appeared to have been a passing comment, during what was a lengthy meeting, and did not consider it was personal in nature or particularly aggressive or disrespectful towards the officer. Taking the foregoing into account, along with the role and experience of the officer, and the need for a robust scrutiny of all objections in a quasi-judicial setting such as a Licensing Board meeting, the Standards Commission was not convinced the Respondent’s conduct, as found by the ESC, would reach the threshold for amounting to a breach of the Code. The Standards Commission agreed with the ESC, in any event, that even if the Respondent’s conduct was found to be disrespectful at a Hearing, it was highly likely that a restriction on his enhanced right to freedom of expression could not be justified. In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.	

Case	NPA/LLT/4373 – Loch Lomond and the Trossachs National Park Authority
Date of Referral	22 October 2025
Date of Decision	27 October 2025
The ESC reported that he had investigated two issues of complaint concerning the alleged conduct of the Respondent (the Convener of the Park Authority) towards another board member. The first issue was that the Respondent had prevented the other board member from speaking at a meeting in June 2024 and advised that, if he continued, he would need to leave. Having reviewed a recording of the meeting in question, the ESC reported that he considered, in the circumstances, the Respondent's conduct was justified and that her actions would not amount to a breach of the Code. The ESC advised the second issue alleged that the Respondent excluded the other board member from a meeting in September 2024, at which a planning application was to be considered. The ESC reported that he had found there were concerns that the board member in question had a conflict of interest in respect of the application. The ESC reported that he had found the Park Authority's external solicitors provided it with advice to the effect that the other board member should not attend the meeting on that basis, and wrote to him accordingly. As such, the ESC did not find the Respondent had breached the Code. In considering proportionality, the Standards Commission noted that the ESC had not found any breach of the Code had occurred. Having reviewed the evidence before it, the Standards Commission found no reason to depart from that conclusion. In the circumstances, the Standards Commission concluded that it was not in the public interest for it to hold a Hearing and determined, therefore, to take no action on the referral.	

Case	LA/SA/4349 – South Ayrshire Council
Date of Referral	3 November 2025
Date of Decision	7 November 2025
The ESC advised that he had investigated one issue of complaint, being that the Respondent made derogatory comments about one of the Complainers (a fellow councillor), another party, and the culture within its current Administration in a magazine article. The ESC advised he had found the Respondent stated in the article that, in response to media allegations of corruption, the Complainer had shown "a lack of integrity", by staying on as a councillor and continuing to influence the Administration. The ESC accepted that making a public reference to another councillor's lack of integrity could be considered disrespectful but noted, in this case, that the Respondent's comment referred to the Complainer's decision not to step down as Leader of the Council while a criminal investigation was ongoing. The ESC noted the Respondent did not state that the Complainer was guilty of corruption and referred to the matters being investigated as being "allegations". The ESC advised that, in the circumstances and context in which they were made, he did not consider the Respondent's comments would meet the threshold required to amount to a breach of the Code. This was because, while critical, the comments concerned the Complainer and his party's lack of actions in response to the media allegations, rather than being personally derogatory. The ESC further advised, in any event, that as he considered the Respondent was expressing value judgements (or opinions) rather than statements of fact, a restriction on his right to freedom of expression, that a formal finding of a breach of the Code would entail, could not be justified. Having reviewed the ESC's report, the Standards Commission had no reason to depart from his conclusion that a breach of the Code had not occurred. It further agreed with the ESC that, even if the Respondent's conduct was found to be disrespectful at a Hearing, it was highly likely that a restriction on his enhanced right to freedom of expression would not be justified in the circumstances. Having concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing, the Standards Commission determined to take no action on the referral.	

Case	LA/An/4925b – Angus Council
Date of Referral	5 November 2025
Date of Decision	11 November 2025

The ESC advised that he had investigated two issues of complaint about the Respondent, the first concerning social media posts he had published in June 2024, and the second concerning comments provided to BBC Scotland in July 2024. Both the post and comments related to the Respondent's views on the behaviour of the Complainer (also a councillor and, at the time, the Council's Provost) towards another elected member at a Council meeting in June 2024.

The ESC reported that the Respondent had stated, in his posts, that the Complainer was a "total disgrace", and a "bully", who could not chair a meeting and should resign. In his comments to the BBC, the Respondent stated the Complainer was "an absolute disgrace", and a "verbal bully" who was not fit to hold his position, and that that he had "verbally abused" another councillor. The ESC advised the way the Complainer had conducted himself at the Council meeting in question had been the subject of press reporting, and following a complaint made to his office, had been the subject of a Hearing held by the Standards Commission in July 2025. The ESC considered that by referring publicly to the Complainer as a "bully", and being unable to chair a meeting, the Respondent had made derogatory comments of a personal nature about him, which were objectively disrespectful. The ESC accepted, nevertheless, that the Respondent was expressing value judgements (or opinions) that had some basis in fact (even if incorrect) and that were not particularly egregious in nature. The ESC advised that, as such, he did not consider a restriction on the Respondent's right to freedom of expression, that a formal finding of a breach of the Code would entail, could be justified.

Having reviewed the ESC's report, the Standards Commission found no reason to depart from his conclusions. In the circumstances, the Standards Commission determined it was neither proportionate, nor in the public interest, for it to hold a Hearing and decided to take no action on the referral.

Case	LA/WD/4407 – West Dunbartonshire Council
Date of Referral	17 November 2025
Date of Decision	18 November 2025

The ESC advised that he had investigated one issue of complaint, being that at a full Council meeting in June 2025, the Respondent said that another political party was a racist party.

The ESC reported that he had found the Respondent made the comment as alleged. The ESC further advised he had found, however, that it was made in the context of the Respondent referring to racist posters and banners that had been displayed on Council property by a group that was had encouraging people to vote for the other party. The ESC found the purpose of the Respondent's speech was to highlight that he, and the Council, would not tolerate racism within the area. The ESC explained that he had found the Respondent did not refer to any specific individual, that his comment was not personal in nature and that he was referring to the other party's policies on immigration. The ESC acknowledged that various high-profile politicians, including the Prime Minister, have referred to these policies as being perceived as racist and further, that there have been a number of media reports about individuals connected to the party having made racist comments or slurs.

The ESC advised that he considered the Respondent was both entitled to hold and express the view he had, and that his conduct in doing so would not meet the threshold required to amount to a breach of the Code. The ESC further advised, in any event, as he considered the Respondent was expressing a value judgement, a restriction on his enhanced right to freedom of expression, that a formal finding of a breach of the Code would entail, would not be justified.

In considering proportionality, the Standards Commission noted that the ESC, in his referral, had reached the conclusion that the Respondent's conduct did not amount, on the face of it, to a breach of the Code. Having reviewed the report, the Standards Commission found no reason to depart from the ESC's conclusion in this regard. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined, therefore, to take no action on the referral.

Case	LA/SB/4431 – Scottish Borders Council
Date of Referral	17 November 2025
Date of Decision	18 November 2025
The complaint concerned a post the Respondent published on social media in February 2025 in which he stated he was appalled to see so many negative comments about the Council’s decision to fly a flag to mark LGBT History Month. The ESC advised he had found, that in response to the post, the Complainer, a member of the public, stated “Britain is still [just about] a Christian country. Christian teaching is clear that there are two genders. Stick to providing local services and you will avoid upsetting the people whom you serve.” The ESC advised he had found the Respondent replied: “even if that was true (census figures actually show the majority have no faith) there are countless LGBT+ Christians and Christian allies. Christianity teaches acceptance and compassion, do not use it as an excuse for bigotry”. The ESC reported that he understood the “bigotry” to which the Respondent referred, was expressed by others, not the Complainer. The ESC noted that the Respondent did not call the Complainer a bigot; rather, she advised against using Christianity as a justification for bigotry. The ESC advised that he considered the Respondent was entitled to respond publicly and express her opinion on the Complainer’s comment. The ESC advised he had found the Respondent’s reference to “bigotry” was made in the context of promoting “acceptance and compassion”, and that the language and tone she had employed were polite and moderate. The ESC advised that, in the circumstances, he did not consider the Respondent’s conduct met the threshold for amounting to a breach of the Code. The ESC advised, in any event, that as the Respondent was making a value judgement that had a basis in fact, and as she had not used offensive language, a restriction on her enhanced right to freedom of expression, that a formal finding of a breach of the Code would entail, could not be justified. The Standards Commission agreed with the ESC’s reasoning and conclusions. Having taken into account the nature of the potential breach and the likelihood of the Respondent’s conduct being protected by her enhanced right to freedom of expression, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/Fa/4369 – Falkirk Council
Date of Referral	17 November 2025
Date of Decision	20 November 2025
The ESC reported that he had investigated one issue of complaint, being that the Respondent used a council resource (her council email address), for party-political or campaigning activities, by listing it as a contact for a political party event in an email in July 2025. The ESC advised that he had found the Respondent’s name and councillor email address was listed, as someone to contact for further information, in an email promoting party events occurring over the summer. The ESC reported this was a party-political campaigning event aimed at encouraging members of the public to vote for the party and, as such, he was satisfied that the Respondent should not have used her council email to help promote it. The ESC reported, however, that he had found the party staff member who drafted the email included the Respondent’s councillor email address in error and without her knowledge, having found it online. The ESC advised he had concluded it would be unfair to attribute a third-party staff member’s administrative error to the Respondent, given this was outwith her control. In the circumstances, the ESC concluded the Respondent had not breached the Code. Having reviewed the evidence before it, the Standards Commission found no reason to depart from the ESC’s conclusion. The Standards Commission concluded, therefore, that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	

Case	LA/Fi/4348 – Fife Council
Date of Referral	19 November 2025
Date of Decision	20 November 2025
The complaint concerned two Respondents. The first issue of complaint alleged that, during a visit to a High School in August or September 2024, the Respondents improperly sought preferential treatment for a pupil at the school, who was the child of an activist for their party. The second issue was that on leaving a meeting with a teacher during their visit, one of the Respondents pointed his finger and told her to do her job “properly”. The ESC reported that, having interviewed various parties, he had found no other evidence to support the allegation that either Respondent used their position as councillors to seek preferential treatment for the pupil in question. The ESC further reported he had found that the Respondents did not attend the High School together, in either August or September 2024, or at any other time. The ESC advised that he had not found either issue to be proven. As such, he had not found any breach of the Code by either Respondent. Having reviewed the evidence before it, the Standards Commission found no reason to depart from the ESC’s conclusion. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	

Case	LA/G/4216 – Glasgow City Council
Date of Referral	24 November 2025
Date of Decision	26 November 2025
The complaint was that, during an online meeting of a working group in November 2024, the Respondent made accusatory and demeaning comments about the Complainer (a council officer) about the alleged lack of progress on a project to develop a play area. The ESC reported that having interviewed several individuals who were present during the online meeting, he found the Respondent expressed frustration by raising his voice and making comments to the Complainer in an aggressive manner. The ESC advised he had therefore concluded that the Respondent had, on the face of it, breached the provisions in the Code that oblige councillors to treat officers with respect and courtesy and refrain from criticising their performance in public. The ESC advised that he had found, however, that when concerns about his behaviour were raised, the Respondent apologised and undertook to soften his tone for the remainder of the meeting. The ESC advised the Respondent has subsequently recognised his conduct was inappropriate and apologised again. The ESC reported that he accepted that the Respondent was expressing value judgements (or opinions) that had some basis in fact (even if incorrect). The ESC stated that meant that even if the Respondent’s opinion was incorrect, he was “within his right to express himself in this way as he attributed the delay in the project delivery to the performance of the Complainer”. The ESC further advised that the Respondent did not use profanities or offensive language. The ESC advised that, in the circumstances, he had concluded that the Respondent’s comments were not sufficiently egregious or shocking as to justify a restriction on his enhanced right to freedom of expression that a formal finding of a breach of the Code would entail. The Standards Commission did not agree with the ESC’s conclusion that just because the Respondent was stating his opinions (or value judgements) about the apparent delay being attributable to the officer, he was entitled to express himself in the manner he had. The Standards Commission noted that it was entirely possible for a councillor to express a value judgement, and concerns about a delay, without raising their voice, being aggressive or criticising the performance of an officer in public. The Standards Commission noted that a restriction on a councillor’s right to express themselves in such a manner could be justified, depending on the individual circumstances of a case. The Standards Commission nevertheless agreed with the ESC that as the Respondent in this case had immediately apologised when concerns about his behaviour were raised during the meeting, and had had not engaged in any personal insults or abuse, it was unlikely a restriction on his enhanced right to freedom of expression could be justified and, as such, that a breach of the Code could be found. In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined, therefore, to take no action on the referral.	

Case	LA/G/4139 – Glasgow City Council
Date of Referral	27 November 2025
Date of Decision	2 December 2025

The complaint concerned an alleged failure by the Respondent, in her capacity as a board member of a housing association to which she had been appointed by the council, to declare certain interests. The ESC reported that at a meeting of the housing association held in May 2017, the Respondent failed to declare an interest when a list of approved contractors and contract terms for those on the list were being considered, despite her son's company being on the list. The ESC advised that he had found this failure to declare amounted to a contravention of the housing association's governance code. As such, it also amounted to a breach of the provision in the Code that requires councillors to adhere to the rules of conduct of outside organisations to which they have been appointed or nominated by their Council. The ESC further advised that, following an investigation in 2020, the Scottish Housing Regulator found the Respondent failed to manage her conflict of interest.

The Standards Commission noted that the ESC's Investigations Manual states that complaints made more than 12 months after the alleged breach of the Code has occurred are not normally accepted for investigation. It notes, however, that the ESC may decide to investigate a late complaint if there is an overriding public interest or other justifiable circumstances. In this case, the Standards Commission noted that the complaints had been made some seven years after the alleged breach of the Code had occurred. It therefore asked the ESC's office whether it was considered there was some form of overriding public interest or other justifiable circumstance that explained why the complaints had been accepted as admissible for investigation. In response, the ESC's office advised that it had considered there was an overriding public interest given the apparent failure on the part of the Respondent to follow the housing association's policies on declarations of interest (being, on its face, a breach of the Code) and the involvement of the Scottish Housing Regulator. The ESC's office further advised that such a failure had the potential to bring the post of a councillor into disrepute, regardless of its historic nature.

The Standards Commission acknowledged that the ESC considered the Respondent's conduct in failing to declare an interest relating to her son's company could potentially amount to a breach of the Code. The Standards Commission nevertheless noted that the:

- ▶ alleged conduct took place in 2017;
- ▶ decision to include her son's company on the approved list of contractors was taken by the full board and not by the Respondent as an individual;
- ▶ matter had been dealt with by another regulatory body; and
- ▶ Respondent had not been a member of the housing association since 2021.

In light of the above factors, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.

In making its decision, the Standards Commission noted the ESC had investigated the complaint, despite it being out of time, on the basis that there were exceptional circumstances which was identified as being that the conduct could amount to a breach of the Code and had the potential to bring the role of a councillor into disrepute. The Standards Commission did not agree that these were exceptional circumstances as it considered that all but the most minor, technical of breaches of the Code (such as a delay of one day in registering an interest) could potentially bring the role of a councillor into disrepute.

The Standards Commission noted, in this case and as outlined above, the Respondent was not the sole decision-maker on what companies were to be included on the list of approved contractors and the contract terms for any contractors who were subsequently engaged. In the circumstances, the Standards Commission did not consider the alleged conduct, even if established at a Hearing would be likely, in the circumstances, to be considered so serious and egregious as to warrant a lengthy suspension (such as one that was for more than six months), or a disqualification. As such, the Standards Commission did not consider the nature of the alleged breach was an exceptional circumstance that warranted it being accepted for investigation, despite the complaint being made significantly after the expiry of the normal one-year time limit. This was particularly the case in circumstances where the matter had already been the subject of an investigation by another regulator.



Case	LA/Fi/4351 – Fife Council
Date of Referral	3 December 2025
Date of Decision	4 December 2025
The complaint concerned an allegation that the Respondent had used her position as a councillor to influence council officers to overturn a decision to issue, to her mechanic, a fixed penalty notice (FPN) for dumping waste unlawfully. The ESC reported that two FPNs had been issued to two individuals in February 2025. The ESC advised he had found that, having been contacted by a third individual, being the son of one of the FPN recipients, the Respondent contacted a Council officer about the FPNs. The ESC advised, however, that he could find no evidence to substantiate the Complainer's allegation that one of the individuals was the Respondent's mechanic, or that, other than them being constituents, she had any connection to the FPN recipients. The ESC reported that, in her correspondence with the officer, the Respondent simply passed on information from her constituent and asked the officer to contact them directly to clarify the position, in accordance with the Council's normal process for dealing with constituent enquiries. The ESC advised that the officer had confirmed she did not feel that she had been pressured by the Respondent to make any decision on the matter. The officer confirmed that a subsequent decision to void all the FPNs was taken by her alone. The ESC advised that, given the above, he had concluded there was no evidence to support the Complainer's allegation that the Respondent had used her position as a councillor to influence council officers, or that she had become inappropriately involved in operational matters. As such, the ESC concluded the Respondent had not breached the Code. In considering proportionality, the Standards Commission noted the ESC did not consider the Respondent's conduct would amount to a breach of the Code. The Standards Commission found no reason to depart from the ESC's conclusions in that regard. Indeed, the Standards Commission noted that the fact that one of the recipients of the FPN may have been the Respondent's mechanic was not, in itself, an indication that the Respondent may have been seeking preferential treatment. It noted that it would not be unusual, for councillors who lived locally, to have interactions with constituents as part of their daily lives, and that doing so did not mean any such a constituent would necessarily be someone whose interests the Respondent might be perceived reasonably as being likely to want to support, such as a friend or close associate. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined, therefore, to take no action on the referral.	

Case	LA/H/4330 – Highland Council
Date of Referral	9 December 2025
Date of Decision	10 December 2025

The complaint concerned two issues, the first being that the Respondent failed to declare an interest at a Planning Applications Committee meeting in August 2024, and a full Council meeting in September 2024, when two applications for permission to build two fish farms in the north-east of Skye were being considered. This was despite him working in a limited, freelance capacity in the tourist industry on Skye.

The ESC advised that he had found that while the Respondent's employment would be considered a connection in terms of the Code, it would not amount to a declarable interest in terms of the objective test. The ESC explained this was because he did not consider members of the public, with knowledge of the relevant facts, would consider it sufficiently significant as to be likely to influence the Respondent's discussion and decision-making on the applications in question.

The other issue of complaint was that the Respondent failed to register, as an interest, his occasional remunerated work speaking to tourists about the history of Skye, from around April 2024 to August 2025. The ESC advised that he had found the issue proven and, as such, that the Respondent had breached the Code's requirement to register any paid work, no matter how trivial or casual. The ESC advised that the Respondent had now updated his register of interests. The ESC noted that the Respondent had explained that as his freelance activity was entirely sporadic, he had not considered it to be of importance. As such, the breach of the Code was inadvertent. The ESC further advised that the Respondent nevertheless accepted he should have registered the interest and had apologised for his failure to do so.

In assessing proportionality, the Standards Commission noted the ESC had not found the Code had been breached in respect of the first issue. Having reviewed the ESC's report and analysis, the Standards Commission found no reason to depart from his conclusions in this regard.

Turning to the second issue, the Standards Commission noted that the Respondent accepted that he should have registered his casual, limited employment. The Standards Commission noted the Respondent had now registered the work and had apologised for his previous failure to do so. The Standards Commission had no reason to doubt that the breach of the Code was inadvertent. In the circumstances, and having taken into account the above factors, the Standards Commission concluded that it was not proportionate for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.

The Standards Commission nevertheless agreed that the Respondent should be reminded of the importance of adhering to provisions in the Code concerning the timeous registration of interests, as these allow for transparency and help ensure the public can have confidence that elected members are making decisions in the public interest.



Case	LA/R/4412 – Renfrewshire Council
Date of Referral	11 December 2025
Date of Decision	12 December 2025
The complaint concerned an allegation that the Respondent was disrespectful towards another councillor by stating, in a post on her social media account, that “fascists don’t care about democracy though”, in response to the other councillor’s decision to join a different political party (without first stepping down and asking the public to vote for him as a candidate of that party). The ESC reported that he acknowledged the wider political context of the post and the Respondent’s stated intention of addressing concerns about elected members changing party allegiance without seeking renewed consent from the electorate. The ESC advised he nevertheless considered the content of the post linked the named councillor directly to the accusation of being a fascist or acting in a manner consistent with fascism. The ESC stated that as he considered the term ‘fascist’ to be “highly pejorative” and to carry “very negative connotations”, he had concluded the Respondent had, on the face of it, breached the provision in the Code that requires councillors to treat everyone which respect and courtesy. The ESC accepted, nevertheless, that the Respondent was expressing a value judgement (or opinion), as part of her contribution to a political debate, that was not particularly egregious or shocking in nature. The ESC advised that, as such, he did not consider a restriction on the Respondent’s enhanced right to freedom of expression, that a formal finding of a breach of the Code would entail, could be justified. In considering proportionality, the Standards Commission noted that the ESC, in his referral, had reached the conclusion that the Respondent’s conduct amounted, on the face of it, to a breach of the Code as he considered the use of the term ‘fascist’ to be “highly pejorative and to carry “very negative connotations” (albeit, he did not consider its use in the context to be egregious or shocking). The Standards Commission did not necessarily agree with this. It noted that while the Respondent had implied that she considered the other councillor was a fascist, she had not expressly called him that. Instead, the Respondent had stated that “fascists don’t care about democracy though”. The Standards Commission further noted that the comment was made in the context of the Respondent expressing her view that the other councillor should have stepped down to give the electorate the opportunity to decide whether he should continue to represent them, despite being a member of a different party to the one he was in when elected. In any event, the Standards Commission agreed with the ESC that even if the Respondent’s conduct was found to be disrespectful at a Hearing, it was highly likely that she would enjoy enhanced protection in respect of her right to freedom of expression. The Standards Commission further agreed with the ESC that it was unlikely a restriction on the Respondent’s enhanced right would be justified given it was evident she was expressing a value judgement or view. Having considered the nature of the potential breach and the likelihood of the Respondent’s conduct being protected by her enhanced right to freedom of expression, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined, therefore, to take no action on the referral.	

Case	LA/H/4296 – Highland Council
Date of Referral	16 December 2025
Date of Decision	19 December 2025

Three issues of complaint were investigated. The first concerned a text message the Respondent sent the Chair of a community council warning him to be ‘wary’ of the Complainer, who had been elected to the community council the previous day. The ESC advised he considered the Respondent’s conduct in describing of the Complainer as someone that the Chair should to be ‘wary’ of to be objectively disrespectful, as it suggested she was untrustworthy, difficult or devious, and should be watched closely.

The second issue of complaint alleged the Respondent shared false information about the Complainer (being that she had failed to respond to a solicitors’ letter about a defamation claim raised against her by a third party) in a telephone conversation with the Chair of the board of her employer, a local Citizens Advice Bureau (CAB). The ESC advised he again considered the Code applied to the Respondent’s conduct. This was because he was a trustee of the CAB by virtue of being a councillor and was speaking “about matters relating to CAB and a CAB employee”. The ESC concluded that by telling the CAB Chair the Complainer would be taken to court for failing to respond to the letter, and by repeating the allegations that were the subject of the potential court action, the Respondent intentionally undermined her and, accordingly, was disrespectful.

The third issue of complaint was that the Respondent disclosed confidential information about the Complainer (being that he had repeated to the CAB Manager the allegations that were the subject of the defamation action) to a third party. The ESC was of the view that the Respondent “could not have reasonably considered that it was appropriate” for him to pass on details of the Complainer’s discussion with her employer to the third party. The ESC concluded the Respondent had done so in order for the information to be used against the Complainer and, as such, he had again been disrespectful towards her. The ESC further advised that as he considered the information “could reasonably be regarded as confidential”, he considered the Respondent had also breached the provisions in the Code that prohibits councillors from disclosing confidential information.

In considering proportionality, the Standards Commission noted that the ESC had concluded the Code applied to the Respondent’s conduct in respect of all three issues of complaint. The Standards Commission was not satisfied, however, that this was the case, given all matters appeared to arise from a personal dispute between the Complainer and Respondent, that concerned his friendship with the third party, rather than his role as a councillor or Council business.

The Standards Commission noted, in respect of the first issue, that there was evidence the Respondent and Chair had been or were friends and considered, in the circumstances, that it would be reasonable for the Respondent to have expected his text message would be treated as being of a private nature. The Standards Commission did not agree with the ESC that the only reasonable interpretation of the message was that the Complainer was being described as untrustworthy, difficult or devious. The Standards Commission considered it could be interpreted, reasonably, as the Respondent suggesting the Chair be careful in any dealings with the Complainer as she might be likely to repeat or make public anything that was said. Given this, and the fact that it was a private message (as opposed to a statement made publicly), the Standards Commission was not satisfied the Respondent’s conduct, in sending it, would meet the threshold for amounting to a breach of the respect provision in the Code.

The Standards Commission noted, in respect of the second issue, that even if the Code applied, the Respondent was providing, in what he considered to be a private telephone conversation, his understanding of the position in respect of the potential defamation action. The Standards Commission noted the Respondent was not raising any issues about the Complainer’s conduct, capability or performance as an employee of the CAB. Indeed, the Standards Commission noted that the subject matter being discussed did not concern the CAB and, instead, related to a defamation action raised by a third party. The Standards Commission noted, in any event, that there was evidence the Respondent was providing the information (being his understanding of the situation) to the Chair in the context of him noting, that as a friend of the third party, he may have a conflict of interest as a Trustee, if a court action was brought against one of its employees (even if the action itself did not concern the CAB).

Case

LA/H/4296 – Highland Council cont.

Turning to the third issue, the Standards Commission did not agree that the information in question could be deemed as being confidential to the CAB or, indeed, to anyone else. The Standards Commission did not agree with the ESC that the information was confidential simply because the Respondent gained knowledge of the Complainer's conversation with the Manager through his role at the CAB, or because the Manager may not have expected the Respondent to have informed the third party about the conversation. By way of comparison, Members noted that them obtaining knowledge of the work of the Standards Commission from being a member of the organisation did not automatically render such knowledge or information confidential. The Standards Commission noted that the situation was analogous to the Respondent's conversation with the Chair and noted that the ESC, in that scenario, had considered the Chair would be expected to disclose what had been said. The Standards Commission agreed that the Respondent would have a right to advise a third party that an individual was repeating defamatory statements about them if he considered that to be the case. The Standards Commission did not agree that doing so was inherently disrespectful.

In further considering proportionality, the Standards Commission noted that it would be obliged, at any Hearing, in the event of a determination that not only did the Code apply but also that it may have been breached, to consider the Respondent's right to freedom of expression. In this case, the Standards Commission noted it was highly unlikely that the conduct in question would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on that right. This was because the Respondent did not disclose the information in respect of the first two issues in public and, further, did not say anything of an egregious, personal nature about the Complainer.

Having taken into account the nature of the potential breach (on the assumption the Code applied) and the likelihood of the Respondent's conduct being protected by his right to freedom of expression, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing, and determined to take no action on the referral.

Case

LA/ER/4374 – East Renfrewshire Council

Date of Referral

12 January 2026

Date of Decision

14 January 2026

The complaint alleged that, at a meeting in March 2025, the Respondent was rude to the Complainer and prevented him from asking a question.

Having considered the evidence provided by various witnesses, the ESC concluded that the Respondent likely conducted herself in a manner perceived by some, but not all attendees, to be short, abrupt or curt. The ESC advised, however, that the Respondent told the Complainer there was no time for questions and, accordingly, the information requested would be sent separately after the meeting. The ESC reported that he did not consider the Respondent's conduct amounted to a breach of the respect and courtesy provision in the Code.

In considering proportionality, the Standards Commission was of the view that, even if it was established at a Hearing, it was unlikely the Respondent's conduct would meet the threshold for amounting to a breach of the Code. The Standards Commission further considered, in any event, that it was highly likely that she would enjoy enhanced protection in respect of her right to freedom of expression. The Standards Commission agreed that it was very unlikely that the conduct in question would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on this right.

In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.

The Standards Commission nevertheless reminded the Respondent that the requirement for councillors to behave in a respectful and courteous manner at all times, including when attending external meetings in their capacity as elected members, is a fundamental requirement of the Code. The Standards Commission noted that a failure to do so could undermine public confidence in the role of an elected member and the council itself.

Case	LA/Fa/4441 – Falkirk Council
Date of Referral	13 January 2026
Date of Decision	14 January 2026

The complaint concerned whether the Respondent failed to record a shareholding in a development company in his Register of Interests within one month of the interest arising.

The ESC reported that there was no dispute that the Respondent was allotted one share representing approximately 33.3% of the issued share capital of the company at incorporation. There was also no dispute that the Respondent did not update his Register within one month of the share being allocated. The ESC advised that the Respondent explained that, at the time of incorporation, he had not appreciated that he was required to register such a shareholding. The ESC accepted there was no evidence the Respondent had attempted to conceal his shareholding. Following the complaint being made, the Respondent sought advice from the Council's Monitoring Officer and, based on this, arranged for his Register to be updated accordingly. As there was no dispute about the material facts, the ESC found that the Respondent's failure to register the interest timeously amounted to a breach of the Code.

In considering proportionality, the Standards Commission noted that the Respondent recognised that he should have registered his shareholding timeously following incorporation and that there was no evidence to suggest he had tried to conceal his interest. The Standards Commission had no reason, therefore, to doubt his contention that the breach of the Code was an oversight, rather than a deliberate omission. The Standards Commission noted the company never traded, owned no land or assets, and had not sought any permissions from, or done any business with, the Council. As such, it considered the breach was insignificant with little or no practical consequence. The Standards Commission noted the Respondent recorded the interest promptly when advised of the need to do so.

In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined, therefore, to take no action on the referral. The Standards Commission nevertheless agreed that the Respondent should be reminded of the importance of adhering to provisions in the Code concerning the timeous registration of interests, as these allow for transparency and help ensure the public can have confidence that elected members are making decisions in the public interest.

Case	LA/G/4414 – Glasgow City Council
Date of Referral	2 February 2026
Date of Decision	4 February 2026

There was one issue of complaint concerning comments the Respondent made at a Council meeting in September 2025. The ESC reported that he found the Respondent stated: *“the only people who are just sitting there, one of them’s here and one of them’s not, that are gonna gain from this are the people that are causing the disinformation and spreading the racist bile across our communities”*.

The ESC advised that he considered it was evident from the context in which the comments were made that the Respondent was referring to two identifiable fellow councillors. The ESC stated that as he considered the terms used were pejorative and carried negative connotations, he had concluded the Respondent had, on the face of it, breached the provision in the Code that requires councillors to treat everyone with respect and courtesy. The ESC advised that he accepted, nevertheless, that the Respondent was expressing a value judgement (or opinion) in respect of political statements made by the other councillors’ political party, which was not particularly egregious or shocking in nature. The ESC advised that, as such, he did not consider a restriction on the Respondent’s right to freedom of expression, that a formal finding of a breach of the Code would entail, could be justified.

The Standards Commission noted that while it was evident that the Respondent was referring to the two other councillors when making his comments, he was nevertheless describing their party’s messaging, rather than them as individuals. The Standards Commission further noted that the comment was made in the context of the Respondent expressing his view that policy should be debated in a respectful manner and that racism and racist comments should not be tolerated.

In any event, the Standards Commission agreed with the ESC that even if the Respondent’s conduct was found to be disrespectful at a Hearing, it was highly unlikely a restriction on the Respondent’s enhanced right to freedom of expression could be justified, given it was evident he was expressing a value judgement or view. In these circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined to take no action on the referral.

Case	LA/Fa/4317 – Falkirk Council
Date of Referral	5 February 2026
Date of Decision	9 February 2026

The complaint related to comments the Respondent made as part of a deputation before the Council's Planning Committee in which he compared "the apparent position of officers to that of a fat, obese child who just can't say no to another cream cake". The Complainer considered the comments to be disrespectful to Council officers, and an attempt to both place undue pressure on the Committee and to bring the Council's integrity as a planning authority into question.

The ESC reported that he considered that while the Respondent's comments could be regarded as satirical in nature, they could be viewed reasonably as being disrespectful to Council officers. The ESC advised this was because they implied officers were acting out of greed. The ESC considered the Respondent could have raised any concerns he may have had about the Council's approach to developer contributions without resorting to disparaging language. The ESC was therefore of the view that the Respondent's comments amounted, on the face of it, to a breach of the provisions in the Code that require councillors to both behave with respect and courtesy and to refrain from undermining Council officers. The ESC considered, however, that a restriction on the Respondent's right to freedom of expression, that a finding of a breach of the Code would entail, could not be justified, as proportionate. This was because he considered the comments were not gratuitous or personal, and further that they were intended as an analogy.

In considering proportionality, the Standards Commission had some reservations as to whether the Respondent's comments would reach the threshold for amounting to disrespectful or discourteous behaviour. This was because it considered it was evident they were delivered as an analogy. Furthermore, the Standards Commission was not persuaded that the comments could be taken to concern the performance, conduct or capability of any identifiable officer or group of officers (thus undermining them). Instead, the Standards Commission considered the comments concerned the general position or approach taken by the Council as a whole.

The Standards Commission noted the Complainer considered the comments were intended to put 'undue pressure' on the Committee. The Standards Commission noted, however, that the Respondent was not a member of the Committee and was only there to make submissions as part of a deputation (which he was entitled to do). The Standards Commission considered that the inherent purpose of making a deputation before a Council committee is to influence the Committee members as decision-makers and, as such, the Respondent's conduct in that regard would not amount a breach of the Code.

The Standards Commission considered, in any event, that even if the Respondent's conduct was found at a Hearing to amount, on the face of it, to a breach of the Code, it was highly likely that he would enjoy enhanced protection in respect of his right to freedom of expression, given the comments concerned a matter of public interest (being the Council's approach to developer contributions). The Standards Commission agreed with the ESC that it was very unlikely that the conduct in question would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on this right. In reaching this conclusion, the Standards Commission agreed with the ESC that the comments represented an analogy, were not directed at an identifiable officer or group of officers and were not personal in nature.

Having taken into account the nature of the potential breach, and the likelihood of the Respondent's conduct being protected by his enhanced right to freedom of expression, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.

Case	LA/PK/4479 – Perth & Kinross Council	
Date of Referral	9 February 2026	
Date of Decision	12 February 2026	
The complaint was that, in November 2025, the Respondent posted a comment in response to a Facebook post by “Perth Against Racism” (PAR) referring to two members of the public as ‘the Cadaver’ and ‘the wee weirdo with the drum’. The ESC reported that he had found the Respondent posted the comment on a personal Facebook account in which she had not identified herself as a councillor, either in the biography section or account name. The ESC advised he had found that the Respondent had a separate Facebook account for councillor related business and that while she discussed political issues on the account in question, they concerned international matters, as opposed to local ones. The ESC advised that he had concluded that the Respondent was not acting in her capacity as a councillor when she made the Facebook comment and, therefore, that the Code did not apply to her conduct. In considering proportionality, the Standards Commission noted that the ESC’s view was that the Respondent’s conduct was not covered by the Code. Having reviewed the evidence before it, the Standards Commission had some reservations as to whether this was the case. This was because it noted that while the Respondent may have had a separate councillor related account, this would not necessarily be known to members of the public. The Standards Commission further noted that it appeared the account on which the comment had been made was public and, further, that the Respondent had used it to share Council posts. The Standards Commission noted, nevertheless, that she had not published anything that only a councillor would post or shared anything further than any politically aware member of the public might share. The Standards Commission further noted that the Respondent had also clearly taken steps to separate her councillor-related account, with no mention being made of her role as an elected member on the page in question. In any event, the Standards Commission noted that it was unclear from the referral as to whether the individuals that were the subject of the comments were identifiable and, as such, whether (if the Code did apply), the Respondent’s conduct in making them would reach the threshold for amounting to disrespectful or discourteous behaviour. The Standards Commission agreed that even if the Respondent’s conduct was found at a Hearing to amount, on the face of it, to a breach of the Code, it was highly likely that she would enjoy enhanced protection in respect of her right to freedom of expression, given the comments related to a matter of public interest (being arrests made at an immigration protest). The Standards Commission agreed that while the comments appeared personal, they were somewhat mild in nature and, therefore, it was very unlikely that the conduct in question would be found to be sufficiently egregious or shocking as to justify a restriction on this right. Having taken into account the factors outlined above, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.		

Case	LA/Fi/4391 – Fife Council	
Date of Referral	10 February 2026	
Date of Decision	12 February 2026	
The complaint, from the former Chairperson of a charity, alleging the Respondents disclosed confidential information about him to others, including trustees of his former charity. The ESC reported he had not found any information disclosed by the Respondents to be confidential in nature. As such, he had concluded that the Respondents had not breached the Code. Having reviewed the report, the Standards Commission found no reason to depart from the ESC’s conclusion in this regard. In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.		

Case	LA/AB/4402 – Argyll and Bute Council
Date of Referral	10 February 2026
Date of Decision	16 February 2026

The complaint was that, in August 2025, the Respondent disclosed, on social media, an email from a senior officer to all elected members of Argyll and Bute Council, in breach of the confidentiality requirements of the Code. The officer noted in the email that while information had been circulating on social media and in the press suggesting grooming gangs were operating in the area, there was no intelligence to indicate that was the case. The officer further noted that if anyone had concerns about any individual being abused, or being at risk of abuse, they should contact the police or the Council.

The ESC advised that he had found the email was classified, under the Council's system, as confidential. The ESC accepted that the officer had sent the email so elected members could use the information it contained to answer any questions they might be asked by constituents. The ESC noted, however, that the email was not intended as a public statement and the officer did not expect it to be disclosed in full. The ESC advised he had concluded that, by disclosing it, the Respondent breached the provisions in the Code that require councillors to maintain confidentiality. The ESC advised he considered there was a need to maintain the email's confidentiality "in order to avoid any unnecessary anxiety and potential racial unrest among members of the community", as well as to protect the mutual bond of trust and confidence between councillors and officers that enables local government to function effectively. The ESC advised that, as such, he had concluded that a restriction on the Respondent's right to freedom of expression, that a formal finding of a breach of the Code and imposition of a sanction would entail, could be justified.

In considering proportionality, the Standards Commission accepted the Respondent may have breached the Council's policy that concerned how emails were labelled and, accordingly, whether information they contained could be disclosed. The Standards Commission further accepted it was the Respondent's responsibility to ask the officer's permission to share it and, further, that officers have a right to expect that emails they send to councillors, properly labelled as confidential, will not be disclosed in full. Indeed, the Standards Commission acknowledged there was a risk that officers would be less candid if there were concerns that every word they wrote, or said, would be publicised by elected members.

The Standards Commission nevertheless noted that the police had already made public the information the email contained by the time it was disclosed by the Respondent, meaning its contents were already in the public domain (even if the email itself was not). The Standards Commission did not consider that disclosing the email and providing the assurance that there was no intelligence to suggest grooming gangs were operating in the area would be likely to cause unnecessary anxiety or racial unrest. As such, the Standards Commission considered the consequences of the Respondent's actions were minimal and were never likely to be otherwise. It was not persuaded, therefore, that even if the Respondent's conduct was found at a Hearing to amount, on the face of it, to a breach of the Code, a restriction on his right to freedom of expression could be justified.

Having taken into account the nature of the potential breach, and the likelihood of the Respondent's conduct being protected by his enhanced right to freedom of expression, the Standards Commission concluded that it was not proportionate for it to hold a Hearing and determined, therefore, to take no action on the referral.

The Standards Commission nevertheless reminded all councillors of the importance of maintaining confidentiality to help protect the bond of mutual confidence and trust between councillors and officers, and to ensure the role of a councillor and the Council itself are not brought into disrepute.

Case	LA/PK/4434 – Perth and Kinross Council
Date of Referral	23 February 2026
Date of Decision	25 February 2026

The complaint was that when a third party commented on an article a news outlet shared on its Facebook page in September 2025, the Respondent asked, in a response to the third party’s comment, “are you actually on drugs”?

The ESC reported that he considered the Respondent was “best placed to speak to her intentions” and, therefore, had accepted her account that she was merely expressing concern for the third party’s state of mind or health. The ESC advised he had concluded, in the circumstances, that the Respondent’s conduct would not meet the threshold for amounting to a breach of the respect and courtesy provision in the Code. The ESC advised he considered, in any event, that a restriction on the Respondent’s right to freedom of expression could not be justified as any perceived criticism of the third party was minimal and had not involved the use of profanity or offensive or abusive language. The ESC advised he accepted the Respondent’s remark to be “a genuine question based on the terms of the third-party’s comments”.

Having reviewed the ESC’s report, the Standards Commission agreed it was unlikely the Respondent’s conduct would be found, at a Hearing, to meet the threshold for amounting to a breach of the Code. The Standards Commission considered the Respondent’s explanation that she was merely expressing concern for the third party, to be entirely disingenuous. This was because the Standards Commission did not consider it likely that an individual would express genuine concern for another person by questioning publicly whether they were on drugs. Instead, the Standards Commission considered it was evident the Respondent’s comment was intended to be sarcastic in nature. The Standards Commission was satisfied, nevertheless, that the comment was clearly aimed at the third party’s own views and how these had been expressed, rather than a serious attempt to portray them as someone who was under the influence of drugs.

The Standards Commission considered, in any event, that even if the Respondent’s conduct was found to be disrespectful or discourteous at a Hearing, it was very unlikely that her conduct would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on her right to freedom of expression. The Standards Commission concluded, therefore, that it was neither proportionate, nor in the public interest, for it to hold a Hearing. It determined to take no action on the referral.

The Standards Commission nevertheless reminded the Respondent that the requirement for councillors to behave in a respectful and courteous manner at all times, including when engaging on social media, is a fundamental requirement of the Code. The Standards Commission noted that a failure to do so can undermine public confidence in the role of an elected member and the Council itself.

Case	LA/NL/4437 – North Lanarkshire Council
Date of Referral	23 February 2026
Date of Decision	25 February 2026
The complaint alleged that the Respondent repeated confidential information he obtained from a third party to the Complainer (being information about the criminal offences with which the Complainer had been charged), The ESC advised that both the Respondent and the third party denied the contention that the third party had disclosed the information to the Respondent. The ESC reported in any event that, despite requests to do so, the Complainer failed to clarify why he considered the information allegedly repeated to him was confidential, other than to indicate it concerned the criminal charges against him. The ESC advised that he had not found evidence to support the contention that the Respondent disclosed information that was confidential in nature. As such, he had concluded that the Respondent had not breached the Code. In considering proportionality, the Standards Commission noted that the ESC, in his referral, had reached the conclusion there was no evidence of a breach of the Code by the Respondent. Having reviewed the report, the Standards Commission found no reason to depart from the ESC's conclusion in this regard. It noted that as the Complainer had been charged, he would already be aware of the criminal offences he faced (meaning that the information allegedly disclosed would not be of a confidential nature). In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/AB/4466 – Aberdeenshire Council
Date of Referral	24 February 2026
Date of Decision	25 February 2026
The complaint concerned an alleged failure by the Respondent to declare an interest at an Infrastructure Services Committee meeting in October 2025 in respect of an application regarding an electricity substation. The Complainer contended the Respondent's spouse worked for a public relations company that was connected to another project that, in turn, was dependent upon approval of the substation application. The Complainer noted the Respondent had previously declared an interest in a planning application relating to that project, as the public relations company was assisting the applicant. The ESC reported that he found no dependency or link between the application and the other project referenced in the complaint. He had also not found evidence of a connection between the planning application under consideration and the employment of the Respondent's spouse at the public relations company. Given this, the ESC advised he was of the view that a member of the public, with knowledge of the relevant facts, would not reasonably regard the Respondent's spouse's employment as being of sufficient significance as to be considered likely to influence his discussion or decision-making on the planning application before the Committee. Accordingly, it would not amount to a declarable interest. The ESC further advised that he had found no other basis to conclude that the Respondent improperly favoured any person or interest or to suggest that he acted unfairly or without impartiality when considering the planning application. The ESC confirmed, therefore, that he had not found any evidence of a breach of the Code by the Respondent. In considering proportionality, the Standards Commission noted the ESC did not consider the Respondent's conduct would amount to a breach of the Code. It found no reason to depart from the ESC's conclusions in that regard. In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint and determined to take no action on the referral.	

Case	LA/G/4115 – Glasgow City Council
Date of Referral	29 August 2025*
Date of Decision	10 March 2026
* The ESC referred the matter to the Standards Commission on 21 May 2025. The Standards Commission directed the ESC to undertake further investigation on 26 May 2025, and a further Investigation report was received on 29 August 2025. Having reviewed the further investigation report, the Standards Commission initially decided to hold a Hearing on the matter. The Hearing was scheduled to take place on 20 November 2025 but was postponed after the Respondent suffered a medical emergency. Having received new and material information (as outlined below) on behalf of the Respondent on 3 March 2026, the Standards Commission reviewed the decision it had made under Section 16 of the 2000 Act. It decided that no further action was to be taken on the matter. In his further investigation report, the ESC advised that there was one issue of complaint, being that the Respondent disclosed confidential information at a party group meeting in March 2024 and after a Council meeting the following day. The ESC advised that the information concerned the voting preferences of the members of the Council's Appointment of Senior Officers Committee in respect of the candidates for the post of the Council's Chief Executive. The ESC advised that he was satisfied this information was confidential at the time and that the Respondent was only aware of it as a result of being a member of the Committee. The ESC advised that the information then made its way into the press. The ESC advised that one witness (another councillor from the same party) contended she recalled the information being disclosed by the Respondent at the party group meeting. The ESC advised he was satisfied, on the balance of probabilities, that the Respondent disclosed the information to members of his party group. While the ESC acknowledged this that did not mean the Respondent also leaked the information to the press, he considered the Respondent, having disclosed it to members of his party group, must have been aware that wider dissemination was likely. The ESC advised he had therefore concluded, on the balance of probabilities, that the Respondent disclosed confidential information in breach of the Code. The Standards Commission noted the Respondent consistently denied the allegation and witness statements from several individuals who had been present at the party group meeting were submitted on his behalf confirming that he had not disclosed the information as alleged. The Respondent's representative advised that these witnesses and the Respondent were prepared to appear at the Hearing, to give evidence to the effect that the Respondent had not disclosed the information as alleged. The Respondent's representative further advised that the individual with whom the Respondent had allegedly shared the information with after the Council meeting in question was prepared to give evidence to the effect that this had not occurred. Following the scheduling of the Hearing, the Respondent suffered a medical emergency. It was later confirmed that this was having a serious, long-term impact on his health (with no clear timeline for recovery), which impacted his capacity to undertake fully, his duties as a councillor. In considering proportionality, the Standards Commission noted that holding a Hearing would allow the Hearing Panel to take evidence, under oath or on affirmation, from the individuals present during the events in question, and from the Respondent, which would help it to establish, on the balance of probabilities, whether the Respondent had disclosed the information as alleged. The Standards Commission nevertheless noted that the events which were the subject of the complaint had occurred almost two years ago. It noted that this could have an adverse impact on the reliability of witness evidence, given that memories tend to fade over time. The Standards Commission further noted that only one witness recalled the Respondent disclosing the information and that this was only after she was reminded of the relevant dates and timeline during the ESC's investigation. The Standards Commission acknowledged that the Respondent was suffering from a serious and long-term health condition that restricted his ability to fulfil his role as a councillor. It noted that the stress of preparing for, and participating in, a Hearing could exacerbate this. In the circumstances and having taken into account all of the factors outlined above, the Standards Commission concluded that it was no longer proportionate or in the public interest for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/Fa/4395 – Falkirk Council
Date of Referral	11 March 2026
Date of Decision	12 March 2026

The complaint was that the Respondent was disrespectful towards the Complainer (a fellow councillor) by making a complaint about him that was malicious, politically motivated and had no basis in fact.

The ESC reported that he had not been provided with, or found, any evidence to support the Complainer's contention that the complaint was malicious and politically motivated. The ESC noted that making a complaint is not in itself an inherently disrespectful or discourteous action. The ESC further noted that the wording of the Respondent's complaint was not egregious, offensive, or personally abusive towards the Complainer. The ESC advised he had found, in respect of one aspect of the Respondent's complaint, that the Complainer had, on the face of it, breached the Code. The ESC advised that the Respondent withdrew another part of the complaint on the basis that he had realised it contained "an unintended error". The ESC advised that, in the circumstances, he did not consider the Respondent's conduct in making the complaint about the Complainer amounted to a breach of the Code.

In considering proportionality, the Standards Commission noted that the ESC, in his referral, had reached the conclusion that the Respondent's conduct did not amount to a breach of the Code. Having reviewed the report, the Standards Commission had no reason to depart from the ESC's conclusion in this regard. It noted that a breach of the Code is just that, meaning a contravention can be found regardless of a Complainer's intentions. The Standards Commission further noted that while an individual may consider there has been a breach of the Code, the whole point of making a complaint to the ESC is for this to be investigated and determined by the ESC and Standards Commission (being the organisations tasked with the powers to determine, when the relevant evidence is ingathered, whether the conduct of the relevant Respondent has been proven and meets the requisite threshold to be upheld as a contravention).

In the circumstances the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing and determined, therefore, to take no action on the referral.

Case	LA/ER/4382 – East Renfrewshire Council
Date of Referral	9 March 2026
Date of Decision	16 March 2026
The complaint concerned an alleged failure by the Respondent to declare an interest at a meeting of the Council's Planning Applications Committee on 4 June 2025 and at a Council meeting on 25 June 2025, when motions concerning a planning application were to be considered. The Standards Commission understood, from the ESC's report, that an application (application one) for planning permission in respect of the construction of a battery energy storage facility was refused by the Council. The refusal was then upheld by a Court Reporter on appeal. A second application for planning at the same site was then made to the Council (application two). The second application was granted by the Council's Planning Applications Committee at a meeting on 15 April 2025. At the Council's Planning Applications Committee on 4 June 2025 a motion was proposed to revoke the decision made on 15 April 2025. The Committee Chair ruled that the motion was incompetent. The Respondent then proposed a motion at the full Council meeting on 25 June 2025, seeking further information on the revocation process and its potential implications for the Council. The Complainer considered the Respondent should have declared an interest at both meetings. This was because she considered he made prejudicial comments about the site in question at a Community Council meeting on 1 April 2025, that demonstrated he had a predetermined position on application two. In particular, the Respondent stated: "the presentation did not convince the Planning Committee" and "although there are safety measures in place, it doesn't... we didn't feel the risk was totally mitigated although it was largely mitigated." The ESC advised he had concluded, in relation to the Planning Applications Committee meeting on 4 June 2025, that the matter in which the Respondent had participated concerned only the competency of the motion and not its merits. The ESC found that there had not been any opportunity for any of the members of the Committee to consider the competency or merits of the motion, and the decision to rule it incompetent was made by the Chair alone. The ESC concluded, therefore, that the Respondent had no opportunity or requirement to declare any interest. In relation to the full Council meeting on 25 June 2025, the ESC advised he considered he comments the Respondent made at the Community Council meeting to be ambiguous, and while they tended to show that he held a view on application one, they did not demonstrate he had a settled view on application two. The ESC advised he considered, nevertheless, that a member of the public, with knowledge of the relevant facts, namely: the comments made by the Respondent at the Community Council meeting; his decision not to attend the Planning Applications meeting on 15 April 2025; and the terms of his motion and contribution at the full Council meeting on 25 June 2025, would regard his connection to application two as being so significant that it would be considered as being likely to influence his discussion and decision-making. As such, it was an interest that should have been declared. The ESC concluded, therefore, that the Respondent breached the Code by failing to declare an interest at the meeting. The ESC advised that he had further concluded the Respondent failed to avoid any appearance of bias or having pre-judged application two (being a quasi-judicial or regulatory matter) and, therefore, had also breached Section 7 of the Code. The Standards Commission noted that the concerns about the Respondent's participation in any discussion on application two appeared to arise from an assessment of his contribution at the Community Council meeting on 1 April 2025. The Standards Commission was not satisfied, however, that these comments could constitute a declarable interest in application two. This was because it appeared the Respondent was discussing the previous application (albeit it was similar in nature to application two) and a presentation that had been made to the Planning Applications Committee in respect of that. The Respondent also made more general points about battery storage, fire risks and the safety of developments of that nature. The Standards Commission did not consider these could be taken, objectively, as being specific criticisms of application two or the expression of pre-judgment. It further considered they did not demonstrate the Respondent had a closed mind on application two before it was determined at the Planning Applications Committee meeting on 15 April 2025. This was because the Respondent did not say anything that demonstrated he was not prepared to determine application two on its merits. The Standards Commission considered that the Respondent's comments simply indicated that he may have some reservations about safety at the site. As the Standards Commission was of the view that the Respondent did not have a declarable interest in respect of his comments that required him to withdraw from consideration of application two at the Planning Applications Committee on 15 April 2025, it followed that he would be entitled to take part in consideration of the matter at the subsequent meetings on 4 and 24 June 2025. (This was regardless of the merits of the motions and whether they were competent). As the Standards Commission did not consider there was, on the face of it, evidence that the Respondent had breached the Code it concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing. The Standards Commission determined, therefore, to take no action on the referral.	

Case	LA/SB/4477 – Scottish Borders Council
Date of Referral	20 March 2026
Date of Decision	24 March 2026

The complaint was that, in a post on social media, the Respondent described a councillor (one of the Complainers), who had posted about the potential closure of a local pool) as “dishonest”, compared her actions to those of the American president and stated that the pool was saved despite and not because of her.

The ESC reported that, having considered the various factors of the complaint and the evidence gathered, he considered that while the comments that were the subject of the complaint could be considered objectively as discourteous, the post reflected a political disagreement about a contentious local issue. While noting the Respondent could have expressed himself more considerately and with less exaggeration, the ESC advised he did not consider the comments met the threshold for amounting to a breach of the respect and courtesy provision in the Code.

The ESC was of the view, in any event, that a restriction on the Respondent’s right to freedom of expression, that a finding of a breach of the Code and imposition of a sanction would entail, could not be justified. This was because the comments were made in the context of a public debate, did not have a significant personal element, were not gratuitously offensive, abusive, or shocking, and appeared to have some basis in fact, even if untrue.

In considering proportionality, the Standards Commission noted the ESC did not consider the Respondent’s conduct, in the circumstances, would reach the threshold required to amount to a breach of the Code. The Standards Commission found no reason to depart from the ESC’s conclusions in that regard. The Standards Commission further agreed with the ESC, in any event, that even if the Respondent’s conduct was found to be disrespectful or discourteous at a Hearing, it was very unlikely it would be found to be sufficiently offensive, gratuitous or egregious as to justify a restriction on his right to freedom of expression.

In the circumstances, the Standards Commission concluded that it was neither proportionate, nor in the public interest, for it to hold a Hearing in respect of the complaint. The Standards Commission determined, therefore, to take no action on the referral.

INTERIM SUSPENSION

Case	LA/DG/4304 – Dumfries & Galloway Council
Date of Interim Referral	28 July 2025
Date of Interim Suspension Decision	Imposed on 7 August 2025, renewed on 7 November 2025 and 6 February 2026, and discontinued on 19 March 2026.

The Standards Commission received an interim report from the ESC in late July 2025, concerning a complaint he had received about the conduct of a Dumfries and Galloway councillor. The ESC advised that he had accepted 21 issues of complaint as eligible for investigation. The ESC advised that the alleged breaches were serious in nature and included allegations of threatening and intimidating behaviour, and of attempts to pressure officers in order to circumvent quasi-judicial and regulatory processes. The ESC advised that he considered there was a risk that, if an interim suspension was not imposed, the Respondent could contact potential witnesses, which in turn could compromise or prejudice the investigation.

In assessing whether to impose an interim suspension the Standards Commission considered there was:

- ▶ the potential for behaviour that could amount to a breach of the Code to continue during the course of the investigation;
- ▶ a clear possibility of ongoing harm, stress and anxiety to the Complainer and others; and
- ▶ a risk that allowing the Respondent to continue to act in the meantime could further damage his relations with officers which, in turn, could adversely affect their performance and that of the Council as an entity or result in financial loss.

The Standards Commission determined, therefore, that it was in the public interest and proportionate to impose an interim suspension to mitigate against these risks. Having noted that the ESC had advised that it was unlikely that the investigation would be completed before February 2026, the Standards Commission determined that the suspension should, in the first instance, be for a period of up to three months, commencing in August 2025. Having received updates from the ESC on his investigation, the Standards Commission then renewed the interim suspension for a further period of three months in November 2025, and again in February 2026.

Having received new and material information from the Respondent and the ESC in March 2026, the Standards Commission decided to discontinue the interim suspension. In considering whether to do so, the Standards Commission noted that its initial decision to impose the interim suspension was based, primarily, on it being satisfied that the further conduct of the ESC's investigation was likely to be prejudiced if an interim suspension was not imposed. The Panel acknowledged that the ESC had now ingathered the information he considered necessary to conclude his investigation. The Panel agreed, therefore, that it was unlikely the ESC's investigation would be prejudiced if the interim suspension was discontinued.

The Panel noted that its initial decision took into account the possibility of risks to the Complainer, other officers, as well as the Council in general if the alleged conduct continued. The Panel recognised that, while such risks remained, this needed to be balanced with the requirement to be fair to the Respondent.

For the reasons outlined above, the Panel was satisfied that it was no longer in the public interest and proportionate for an interim suspension to be in place. The Panel, therefore, determined that the interim suspension should be discontinued.

APPENDIX B: PERFORMANCE AGAINST KEY PERFORMANCE INDICATORS 2025/26

Key performance indicators (KPIs) for the Standards Commission were agreed and first published in 2022-23. These include measuring compliance with the timescales outlined in its Hearing Rules and Service Standards, and assessing the time taken to respond to enquiries and Freedom of Information requests. The KPIs also include measurements relating to the sharing of information between staff and Members and the time taken to make decisions. Performance against these KPIs is monitored on a quarterly basis and a summary of performance for 2025-26 is provided below.

Strategic Aim: Adjudication

Hearings

	Action	Target	Actual	Notes
1	Issue notification of Hearing to Respondent, Complainer, Ethical Standards Commissioner (ESC) and public body or council Chief Executive (CE) and publish on website within five working days of decision being made	100%	100%	
2	Advise Respondent, ESC and Panel of any new material information / circulate any new productions and case law within three working days of receipt	90%	100%	
3	Hearings to be held between six and 12 weeks after the date on which the Standards Commission decides to hold a Hearing	75%	93%	
4	Issue and publish written decision within 14 days of the conclusion of the Hearing	100%	100%	

Further Investigation

	Action	Target	Actual	Notes
1	Update Respondent, Complainer and CE on timescales within three working days of receipt of progress report from ESC	100%	100%	

Do Neither

	Action	Target	Actual	Notes
1	Issue and publish 'do neither' decision within five working days of receipt of report from ESC	75%	100%	

Dispensations

	Action	Target	Actual	Notes
1	Acknowledge any request within five working days of receipt	100%	100%	
2	Respond to any dispensation request within 14 days	100%	100%	

Strategic Aim: Stakeholders and Service Users

Enquiries & Correspondence (incl case correspondence)

	Action	Target	Actual	Notes
1	Return any voicemail messages left within three working days.	100%	100%	
2	Respond substantively to any telephone enquiry within 14 working days	100%	100%	
3	Acknowledge correspondence (by post or email) within five working days of receipt	100%	100%	
4	Respond substantively to any postal or email enquiry within 14 working days	100%	100%	
5	Formal Complaints: Respond fully within 20 working days	100%	100%	1

Freedom of Information and Data Subject Access requests

	Action	Target	Actual	Notes
1	Full written response to be issued within 20 working days	100%	97%	2

Strategic Aim: Members and Staff

Internal information sharing

	Action	Target	Actual	Notes
1	Members to provide updates on their Register of Interests within one week of the request being received	100%	71%	
2	Members to confirm disposal of information within one week of the request being received	100%	71%	

Notes:

- Two formal complaints were received in the year and were fully responded to within the 20 working days timescale.
- Twenty eight Freedom of Information requests and three data Subject Access request were received in the year and all responses were sent within the statutory timescales. One significant Data Subject Access request was received in the year where the response time was extended by a further two calendar months (as permitted by the legislation).
- One member was late providing a response to the May 2025 request. Two members were late providing responses to the July 2025 request.



INTEGRITY IN PUBLIC LIFE

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