AGENDA ITEM 12
REPORT NO 350/11

ANGUS COUNCIL
SCRUTINY AND AUDIT SUB-COMMITTEE – 17 MAY 2011
STANDARDS COMMISSION FOR SCOTLAND
COMPLAINTS AGAINST ANGUS COUNCILLORS
REPORT BY THE DIRECTOR OF CORPORATE SERVICES

ABSTRACT
This report advises of complaints received by the Standards Commission for Scotland against Angus Councillors in 2010/2011.

1. RECOMMENDATION
It is recommended that the Sub-Committee note the terms of the report.

2. BACKGROUND
The Ethical Standards in Public Life Etc. (Scotland) Act 2000 provided for a framework to encourage and, where necessary enforce, high ethical standards in public life. The Act established the Standards Commission for Scotland and placed a duty on local authorities to adopt the Code of Conduct for Councillors. It also provided a framework for breaches of the Code to be investigated and adjudicated upon by the Standards Commission.

The Code sets out nine principles namely duty and public service, selflessness, integrity, objectivity, accountability and stewardship, openness, honesty, leadership and respect.

3. CURRENT POSITION
During the period 1 April 2010 to 31 March 2011 Angus Councillors were referred to the Standards Commission for investigation on two separate occasions. No action has been taken in respect of one complaint. One complaint is still currently under investigation.

This compares with seven complaints in 2009/2010 when no further action was taken in five of the cases. However, a full investigation was undertaken in two of the cases also resulting in no further action. Details of the two complaints investigated are available in the Standards Commission’s Annual Report for 2009/10 and a copy of which can be accessed at http://www.standardscommissionscotland.org.uk/annual_reports.html.

It is noted that across Scotland the total number of complaints against Councillors made in 2009/2010 was 190, of which the largest category (68) related to misconduct in dealing with individual applications.

All complaints are dealt with in Angus Council on a confidential basis and only the complainer and the member complained of receive details of the investigation and its outcome.

4. FINANCIAL IMPLICATIONS
There are no financial implications as a result of this report.

5. HUMAN RIGHTS IMPLICATIONS
There are no human right implications arising from this report.

6. EQUALITIES IMPLICATIONS
The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.
7. CONSULTATION

The Chief Executive, Head of Finance and Head of Law and Administration have been consulted on the content of this report.

8. CONCLUSION

The members of the Sub-Committee are requested to note the number of complaints to the Standards Commission and the action taken by the Commission.

COLIN MCMAHON
DIRECTOR OF CORPORATE SERVICES

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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