

SCOTTISH BORDERS COUNCIL STANDARDS COMMITTEE

MINUTES of Meeting of the STANDARDS
COMMITTEE held via Microsoft Teams on
Wednesday, 22 February 2023 at 10.00 am

Present:- Councillors S. Hamilton (Chair), J. Anderson, M. Douglas, J. Greenwell,
F. Sinclair and T. Weatherston

Apologies:- Councillors J. Linehan and D. Parker

In Attendance:- Chief Legal Officer and Democratic Services Officer (W. Mohieddeen)

1. **REPORT ON ETHICAL STANDARDS FRAMEWORK AND COMPLIANCE**

1.1 There had been circulated copies of a report by the Monitoring Officer that advised Members of the Ethical Standards Framework and advised on Compliance with that framework in 2021 to 2022. It further considered the role and remit of the Standards Committee of Scottish Borders Council. The report provided Members with details of the Ethical Standards Framework and also of Scottish Borders Council's compliance with that Framework for 2021-22. The report further considered the question as to whether Scottish Borders Council should consider any changes to the role and remit of the Standards Committee. The Chief Legal Officer presented the report and summarised its content. During the financial year 2021-22 the Monitoring Officer received 5 formal complaints made directly to her about Councillors' conduct. One complaint was received from an SBC Elected Member and the others were made by members of the public. Those complaints all related to allegations of disrespect, of which four of those related to alleged failure to engage. One of these complaints was dealt by a mediation process involving the Council Convener. All others were investigated by the Monitoring Officer with no further action taken.

1.2 The Scheme of Administration noted the following among the functions of the Standards Committee: "The consideration, investigation and determination of all complaints made concerning the conduct of Councillors". This function had only been exercised once in the Committee's history. In that circumstance, the function was discussed by the previous Chair and the Committee itself in December 2021 when there was generally a level of discomfort at the prospect of Elected Members standing in judgment of their fellows. Some Members still felt the committee could have a role to play in some form of 'lessons learned' approach. Any changes to the remit or functions of the Standards Committee would be a decision to be made by Council. It was considered that this discussion should continue and that the Standards Committee should be involved in leading that conversation. Members considered a proposal to remove the function of determining complaints against Councillors conduct.

DECISION

(a) NOTED:

- (i) the contents of the Commissioner for Ethical Standards in Public Life in Scotland's Annual Report 2021-22 as highlighted in section 4 of the report and contained in full in the Appendix of the report;**

- (ii) **the details regarding Complaints about SBC Councillors contained in section 5 of this report; and,**
- (b) **AGREED to RECOMMEND to COUNCIL that function 3 of its functions detailed in the Scheme of administration is removed.**

The meeting concluded at 10.17 am.