

## **SCOTTISH BORDERS COUNCIL** **STANDARDS COMMITTEE**

MINUTE of MEETING of the STANDARDS  
COMMITTEE held in the Council Headquarters,  
Newtown St. Boswells on 12 December 2014 at  
10.10 a.m.

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Present: - Councillors A. Nicol (Chairman), W. Archibald, B. Herd, G. Logan, S. Marshall.  
Apology:- Councillors S. Aitchison, C. Bhatia.  
In Attendance: - Monitoring Officer, Chief Legal Officer, Democratic Services Officer (K. Mason).

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### **ANNUAL REPORT ON COUNCILLORS' COMPLIANCE WITH THE ETHICAL STANDARDS FRAMEWORK FOR 2013-2014**

1. With reference to paragraph 1 of the Minute of 18 September 2013, there had been circulated copies of a report by the Monitoring Officer which reported on the compliance with the Ethical Standards Framework for 2013-2014. The report provided Members with details of Scottish Borders Council's compliance with the Ethical Standards Framework for 2013-14 and considered matters relating to Training, Register of Interest and the Hospitality Register. Members were advised of the background to the report and the National Statistics. In 2013/14 there were 13 complaints lodged against 12 Scottish Borders Councillors, in relation to planning, conflict of interest/declarations of interest, conduct and behaviour. Nine of the complaints were resolved internally. Four complaints were referred to the Commissioner, three against individual Councillors, the other against six Councillors. In one of these cases the Commissioner found against the Councillor and referred the case to the Standards Commission. Following a Hearing the Councillor was suspended from participating in all planning matters for a period of 3 months. In the remaining cases the Commissioner found that the Councillors had not breached the Code of Conduct.
2. The report went on to explain that the Elected Members' Registers of Interests were published on the Council's website and were also available to view in paper format from Members Services. The Registers were reviewed every six months and were amended according to the information provided by the Members. They were maintained in accordance with the Ethical Standards and Public Life etc. (Scotland) Act 2000 (Register of Interest) Regulations 2003, as amended. Members were also required to comply with Section 4 of the Code of Conduct whereby the Registers were updated when a Registerable Interest changed.
3. In regard to the Hospitality Register, Elected Members completed a Hospitality Register on a monthly basis. All elected Members must declare hospitality/gifts offered (valued at over £50), whether accepted or not. Members must send a completed monthly pro-forma return (including nil returns) to Democratic Services, who maintained the Members' Hospitality Register. All forms were scanned electronically and published on the Council's website. In addition, a summary sheet of all responses for the current financial year was kept with the paper copy of the Register for ease of reference. A quarterly report was submitted to the Service Director Regulatory Services in his role as Monitoring Officer.
4. Section 5 of the Ethical Standards in Public Life etc (Scotland) Act 2000 ("The 2000 Act") required Councils to:- (a) promote the observance by its Councillors of high standards of conduct; and (b) assist them to observe the Councillor's code. The current Guidance on the Code of Conduct stated that – "*Councils should make arrangements to hold or attend training and induction sessions on Ethical Standards, and they should strongly encourage attendance by all of their Councillors and senior officers at such sessions*". Scottish Borders

Council had held a number of training sessions on the Ethical Standards Framework over the last few years. There had also been joint training sessions with Midlothian and Dumfries and Galloway Councils. Training was provided on the Ethical Standards Framework as part of the “*Preparing for Elected Office*” programme in February 2012. A number of the attendees, who subsequently became newly elected Councillors in May 2012, attended that programme of seminars in February and March 2012. Training on the Ethical Standards Framework was provided to Members as part of the Induction training held in May 2012 and individual induction had been provided for any Member joining the Council as a result of a subsequent by-election. The Council arranged for the Public Standards Commissioner for Scotland and the Standards Commission’s Secretary to attend the Standards Committee on 29 August 2012 to give a presentation on the Ethical Standards Framework to Members. This presentation was open to all elected Members and formed part of the continuing Ethical Standards training. Members of the Planning and Building Standards Committee received additional training on the Code of Conduct on 10 December 2012. Members were also invited to a seminar, hosted by the Commissioner, in early 2013. A further refresher training event was to be provided to Members after this meeting but this had been postponed because the majority of members had been unable to attend, and this would now be held in the new year.

5. Members discussed the report in detail and the Monitoring Officer and Chief Legal Officer answered questions in relation to the Community Councils’ Code of Conduct and social media. Members also discussed future training requirements and a suggestion was put forward that introductory training courses for people wishing to become Councillors take place at least one year before elections were to be held.

## **DECISION**

### **AGREED:-**

- (a) **to accept the report.**
- (b) **that in accordance with Members’ requests, the Monitoring Officer provide further advice or arrange training for Members in relation to the following:-**
  - (i) **dealing with social media;**
  - (ii) **clarification in relation to expenses;**
  - (iii) **distinction between external and internal complaints;**
  - (iv) **guidance on handling grievance issues relating to Community Councillors and members of the public; and**
  - (v) **Members’ relationships with Council Officers.**
- (c) **that the Monitoring Office be instructed to bring forward a report on Ethical Standards Framework compliance for 2014-15 at the appropriate time.**

*The meeting concluded at 10.50 a.m.*