

WRITTEN DECISION OF STANDARDS COMMISSION PANEL

1. Purpose of Report

To submit for consideration the findings of a Standards Commission Hearing Panel regarding complaint against former Councillor Tom McAughtrie.

2. Recommendation

Members are asked to consider and note the findings in the Standards Commission report as attached at the **Appendix**.

3. Considerations

3.1 The Council has received a report of the findings of a Standards Commission Hearing Panel held on 13 February 2018 in relation to a complaint against former Councillor Tom McAughtrie. The report is attached as an **Appendix**.

3.2 The findings of the Panel were that former Councillor McAughtrie had breached paragraphs 3.1, 3.2 and 3.16 of the Councillors' Code of Conduct. Having found that there was a breach of the Code the Panel were obliged to impose a sanction. However it was noted that as Mr McAughtrie was no longer a councillor, the only options available were censure or disqualification. The decision of the Panel was to censure Mr McAughtrie.

3.3 Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the Act) requires a Council receiving a copy of the Standards Commission's written decision of a Hearing to consider those findings within 3 months. Section 18 states that the duty must be discharged only by the Council and not by a committee or sub-committee or an officer.

4. Governance Assurance

This is a procedural matter and as such has not been required to go through the consultation process. It is worth noting that in accordance with the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the Act) this is a matter which must be reported publicly to the Council within three months of a written decision of a Panel being received and this report discharges that duty.

5. Impact Assessment

As this report does not propose a change in policy, the formal adoption of a plan, policy or strategy, it is not necessary to complete an Impact Assessment.

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Appendix

Written Decision of Standards Commission Hearing Panel – Case reference LA/DG/1929

Background Papers

Councillors Code of Conduct