

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Council
<b>DATE</b>	14 December 2020
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Standards Commission for Scotland – Written Decision – Councillor Boulton
<b>REPORT NUMBER</b>	COM/20/238
<b>CHIEF OFFICER</b>	Fraser Bell
<b>REPORT AUTHOR</b>	Fraser Bell
<b>TERMS OF REFERENCE</b>	15

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### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to bring before Council the written decision made by the Standards Commission for Scotland following a hearing held on 22 October 2020.

### 2. RECOMMENDATION(S)

That Council:

- 2.1 Considers the content of the written decision; and
- 2.2 Notes the sanction imposed by the Standards Commission for Scotland

### 3. BACKGROUND

- 3.1 Appended to this report is a copy of the written decision of the Standards Commission for Scotland following a hearing on 22 October 2020. This hearing was convened further to a complaint alleging that Councillor Marie Boulton had contravened the Councillors' Code of Conduct by disclosing confidential information concerning the Council's budget at a public meeting of the Cults, Bieldside and Milltimber Community Council on 24 January 2019.
- 3.2 Following the hearing, the Standards Commission for Scotland censured Councillor Boulton, after determining that she had contravened the Councillors' Code of Conduct.
- 3.3 The Council is legally required to consider the findings of the Standards Commission for Scotland. The findings must be considered by a meeting of full Council.

#### 4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from the recommendations of this report.

#### 5. LEGAL IMPLICATIONS

5.1 Section 18(2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 requires that the Council consider the findings of the Standards Commission for Scotland whenever the Commission makes a finding about a Member. The Council must consider the findings within 3 months of receiving them unless the Commission sets a longer period in writing.

5.2 Section 18(3) of that Act requires that the duty to consider the findings must be discharged by Full Council and not by a committee, sub-committee, or officer.

#### 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	None	N/A	N/A
Compliance	Failure to timeously consider the findings would be a breach of statutory duty.	L	This report ensures Council meets its obligations.
Operational	None	N/A	N/A
Financial	None	N/A	N/A
Reputational	Further breaches of the Code could happen.	L	Training programme for Members helps ensure that all Members remain aware of their responsibilities.
Environment / Climate	None.	N/A	N/A

#### 13. OUTCOMES

13.1 The proposals in this report have no impact on the Council Delivery Plan.

#### 14. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Not Required

<b>Data Protection Impact Assessment</b>	Not required
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## 15. BACKGROUND PAPERS

None

## 16. APPENDICES

Appendix 1: Decision of Standards Commission for Scotland

## 17. REPORT AUTHOR CONTACT DETAILS

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