

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	16 April 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Standards Commission for Scotland – Written Decision – Councillor van Sweeden
REPORT NUMBER	CORS/25/071
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Alan Thomson, Acting Chief Officer – Governance
REPORT AUTHOR	John Forsyth
TERMS OF REFERENCE	15

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 4 February 2025.

2. RECOMMENDATIONS

That Council:

- 2.1 Considers the content of the written decision; and
- 2.2 Notes that the Standards Commission for Scotland held that there had been no breach of the Code of Conduct by Councillor van Sweeden.

3. CURRENT SITUATION

- 3.1 Appended to this report is a copy of the written decision of the Standards Commission for Scotland following a hearing on 4 February 2025. This hearing was convened further to a complaint alleging that Councillor van Sweeden had contravened the Councillors' Code of Conduct in respect of comments she made at a meeting of Council on 11 October 2023.
- 3.2 Following the hearing, the Standards Commission for Scotland determined that Councillor van Sweeden had not breached the 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 direct 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. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk		No significant risk identified		Yes
Compliance	Failure to timeously consider the findings would be a breach of statutory duty.	This report ensures that Council meets obligation	L	Yes
Operational		No significant risk identified		Yes
Financial		No significant risk identified		Yes
Reputational	Breaches of the	Training programme for Members helps ensure	L	Yes

	Code could happen	that all Members remain aware of their responsibilities.		
Environment / Climate		No significant risk identified		Yes

8. OUTCOMES

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

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	No assessment required. I confirm this has been discussed and agreed with Alan Thomson, Acting Chief Officer Governance on 4 February 2025.
Data Protection Impact Assessment	Not Required
Other	N/A

10. BACKGROUND PAPERS

None

11. APPENDICES

Appendix 1: Decision of Standards Commission for Scotland

12. REPORT AUTHOR CONTACT DETAILS

Name	John Forsyth
Title	Solicitor
Email Address	jforsyth@aberdeencity.gov.uk