

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	13 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Standards Commission for Scotland – Written Decision – Councillors Delaney and Yuill
REPORT NUMBER	COM/21/321
DIRECTOR	Gale Beattie
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Fraser Bell
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 5 October 2021.

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 Delaney or Councillor Yuill.

3. BACKGROUND

- 3.1 Appended to this report is a copy of the written decision of the Standards Commission for Scotland made following a hearing on 5 October 2021. This hearing was convened further to a complaint alleging that Councillor Steve Delaney and Councillor Ian Yuill had contravened the Councillors' Code of Conduct by making comments about Councillor Donnelly at the Council meeting on 10 March 2021.
- 3.2 Following the hearing, the Standards Commission for Scotland determined that Councillors Delaney and Yuill had not breached the Code of Conduct when they made their comments.
- 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
Data Protection Impact Assessment	Not required

15. BACKGROUND PAPERS

None

16. APPENDICES

Appendix 1: Decision of Standards Commission for Scotland

17. REPORT AUTHOR CONTACT DETAILS

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