

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	29 June 2022
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Standards Commission for Scotland – Written Decision – Councillor Hutchison
REPORT NUMBER	COM/22/143
DIRECTOR	Gale Beattie
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Fraser Bell
TERMS OF REFERENCE	21

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 7 June 2022.

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 Hutchison.

3. CURRENT SITUATION

- 3.1 Appended to this report is a copy of the written decision of the Standards Commission for Scotland made following a hearing on 7 June 2022. This hearing was convened further to a complaint alleging that Councillor Michael Hutchison had contravened the Councillors' Code of Conduct when commenting on the renovation of Provost Skene's House.
- 3.2 Following the hearing, the Standards Commission for Scotland determined that Councillor Hutchison 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

7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

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 obligations	L	Yes
Operational		No significant risk identified		Yes
Financial		No significant risk identified		Yes
Reputational	Further breaches of the Code	Training programme for Members helps ensure that all Members remain aware of their responsibilities.	L	Yes

	could happen.			
Environment / Climate		No significant risk identified		Yes

8. OUTCOMES

8.1 The proposals in this report have no impact on the Council Delivery Plan or on the Local Outcome Improvement Plan.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Other	N/A

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

Appendix 1: Decision of Standards Commission for Scotland

12. REPORT AUTHOR CONTACT DETAILS

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