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MEDIA RELEASE

FORMER CITY OF EDINBURGH COUNCILLORS CENSURED FOR BREACH OF CODE OF CONDUCT

At a Hearing held online today, former City of Edinburgh Councillors Maureen Child and Karen Doran were censured by the Standards Commission for a breach of the Councillors' Code of Conduct for taking part in a decision on a traffic regulation order, despite both former councillors having declared non-financial interests in the matter.

Tricia Stewart, Standards Commission Member and Chair of the Hearing Panel, said: "The requirement for councillors to withdraw from the room and not take part in the discussion and decision-making on any matter in which they have declared an interest is a fundamental requirement of the Code. It gives the public confidence that decisions are being made in the public interest and not in the personal interest of any councillor or their friends or family. A failure to comply with the Code's requirements in this regard can erode confidence in the Council and leave its decisions open to challenge."

The Panel heard that it was not in dispute that, at a meeting of the City of Edinburgh Council's Transport & Environment Committee in November 2021, both Respondents participated in the discussion and vote on an agenda item, concerning an Experimental Traffic Regulation Order closing a road. This was despite both Respondents having declared a non-financial interest in the matter.

The Panel acknowledged that the Respondents had not received clear advice at the meeting about whether they could take part in the item. The Panel was satisfied, nonetheless, that they had been provided with guidance the day before, which made it clear that councillors would not be able to take part in the decision-making if they had a declarable interest in the matter. The Panel noted, in any event, that it is a councillor's personal responsibility to comply with the Code, regardless of any advice provided (or, in this case, not provided). The Panel noted that, following the declaration of an interest in a matter, the Code requires councillors to withdraw fully from the meeting until the discussion and decision-making on the item in question is complete.

The Panel further considered that by failing to withdraw from the decision-making process having declared an interest, the Respondents failed to comply with the provisions in the Code that required them to avoid any occasion for suspicion and any appearance of improper conduct.

A full written decision of the Hearing will be issued and published on the Standards Commission's website within 7 days.

ENDS

NOTES FOR EDITORS

1. Complaints about councillors are made to the Ethical Standards Commissioner (ESC). The Standards Commission and ESC are separate and independent, each with distinct functions. The ESC is responsible for investigating complaints. Following investigation, the ESC will refer its report to the Standards Commission for Scotland for adjudication. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/> Tel: 0300 011 0550
2. The [Standards Commission for Scotland](#) is an independent public body, responsible for encouraging high standards of behaviour by councillors and those appointed to boards of devolved public bodies including in education, environment, health, culture, transport, and justice. The role of the Standards Commission is to encourage high ethical standards in public life; promote and enforce the Codes of Conduct; issue guidance to councils and devolved public bodies and adjudicate on alleged breaches of the Codes of Conduct, applying sanctions where a breach is found.
3. The [Codes of Conduct](#) outline the standards of conduct expected of councillors and members of devolved public bodies. In local authorities, there is one Code of Conduct, approved by Scottish Parliament, which applies to all 1227 councillors elected to Scotland's 32 Local Authorities.