



29 September 2023

MEDIA RELEASE

NORTH LANARKSHIRE COUNCILLOR FOUND TO HAVE BREACHED CODE OF CONDUCT

North Lanarkshire Councillor, Kenneth Duffy, was censured by the Standards Commission at a Hearing held in Airdrie, after he was found to have contravened a provision in the Councillors' Code of Conduct that requires councillors to refrain from making any comments that could bring the council into disrepute. The Standards Commission found that Cllr Duffy spoke to a journalist, on 17 January 2022, about a planning application at Ravenscraig, which resulted in an article being published in which he was quoted directly as saying that council officers were to recommend that the application be refused. This was despite the fact that officers were awaiting information and were yet to make any recommendation.

Suzanne Vestri, Standards Commission Member and Chair of the Hearing Panel, said: "Cllr Duffy indicated that he could not recall the details of his discussion with the journalist. The Panel noted, however, that it was unlikely the journalist would have made up information about the officers' recommendation. On balance, the Panel concluded that Cllr Duffy must have at least given an indication of what he believed the recommendation would be."

The Panel observed that members of the public, on reading the article, may have believed that council officers had acted inappropriately in providing information about the intended recommendation to Cllr Duffy when, in fact, they had not done so. The Panel considered that the suggestion that council officers had revealed their recommendation on a potentially controversial and high-profile matter before any decision had been made, had the potential to bring the Council into disrepute. As such, the Panel was satisfied that, on the face of it, Cllr Duffy had breached the Protocol between Councillors and Employees, contained in the Code.

Ms Vestri noted: "The Panel had no reason to consider that the outcome of the planning application had been affected by Cllr Duffy's conduct. The Panel further accepted Cllr Duffy's position that he had not intended to create difficulties for officers and noted that he had apologised for doing so at the time. The Panel nevertheless considered that Cllr Duffy's conduct, in making public comment that suggested officers had failed to act in accordance with proper process, had the potential to damage both their reputation and the reputation of the Council itself."

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.