

Local Government, Housing and Planning Committee
Tuesday 25 November 2025
30th Meeting, 2025 (Session 6)

2024-25 Annual Reports of the Ethical Standards Commissioner and the Standards Commission for Scotland

Introduction

1. The purpose of this paper is to provide information to support the Committee's scrutiny of annual reports for 2024-25 published by—
 - The Ethical Standards Commissioner; and
 - The Standards Commission for Scotland.
2. A SPICe briefing is included at **Annexe A**.

Ethical Standards Commissioner Annual Report 2024-25

3. The Committee will take evidence on the Standards Commission for Scotland's Annual Report from—
 - Ian Bruce, Ethical Standards Commissioner.
4. The Ethical Standards Commissioner's (ESC) Annual Report can be [downloaded via a link on the ESC's website](#).

Background

5. The primary functions of the ESC are—
 - to investigate complaints about the conduct of MSPs, local authority councillors and board members of public bodies;
 - to investigate complaints about lobbyists who have failed to register or provide certain information to the Scottish Parliament and, where there has been a contravention, to report to the Scottish Parliament; and
 - to regulate and monitor how people are appointed to the boards of public bodies in Scotland, and to promote diversity in that process.
6. The ESC is an independent regulator appointed and funded by the Scottish Parliamentary Corporate Body (SPCB) and approved by MSPs. It is underpinned by various pieces of legislation, including the Ethical Standards in Public Life, etc (Scotland) Act 2000, the 2002 Scottish Parliamentary Standards Commissioner Act and the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 ("the 2010 Act").
7. Under the 2010 Act, the ESC is an independent officeholder and the exercise of his or her statutory functions, unless otherwise provided for in the Act, is not under the direction or control of MSPs, the Scottish Government or the SPCB.

8. Where the ESC considers there has been a breach of the relevant Code of Conduct, they will report to the Standards Commission for Scotland (SCS) in the case of councillors and members of public bodies. In the case of MSPs, the ESC will report to the Scottish Parliament's Standards, Procedures and Public Appointments Committee.

Standards Commission for Scotland Annual Report 2024-25

9. The Committee will take evidence on the Standards Commission for Scotland's (SCS) Annual Report from—
 - Suzanne Vestri, Convener; and
 - Lorna Johnston, Executive Director.
10. The Annual Report can be [downloaded via a link on the Standards Commission's website.](#)

Background

11. The SCS is an independent body set up by the Ethical Standards in Public Life etc. (Scotland) Act 2000. It "...encourages high ethical standards in public life through the promotion and enforcement of Codes of Conduct for Councillors and Members of Devolved Public Bodies."
12. The SCS works with local authorities and public bodies to help them assist their councillors and members to achieve the highest standards of conduct. It also issues guidance on how provisions in the Codes of Conduct should be interpreted and publishes advice notes and e-Learning modules on specific topics covered by the Codes, such as on how to identify and manage conflicts of interests, gifts and hospitality, confidentiality and bullying and harassment.
13. Complaints about breaches of the Codes of Conduct by councillors and members of devolved public bodies are investigated by the Ethical Standards Commissioner (ESC).
14. Following the completion of an investigation, the ESC will submit a report for the consideration of the SCS which then reviews the ESC's report and determines whether to: direct the ESC to carry out further investigations, hold a Hearing, or do neither.
15. The SCS will hold a Hearing if it considers it is in the public interest and proportionate to do so, to determine whether the councillor or member of a devolved public body in question has contravened their Code of Conduct. If the SCS Hearing Panel finds that a breach of the Code had occurred, it will then determine the sanction to be applied, in accordance with the 2000 Act.

Clerks to the Committee

November 2025

Annexe A – SPICe Briefing



Local Government, Housing and Planning Committee

30th Meeting, 2025 (Session 6), Tuesday 25 November

Ethical Standards Commissioner Annual Report and Accounts 2024-25 and Standards Commission for Scotland Annual Report 2024-25

Members have the opportunity to hear from the following witnesses:

Panel 1: Ethical Standards Commissioner: Ian Bruce, Ethical Standards Commissioner.

Panel 2: Standards Commission for Scotland: Suzanne Vestri, Standards Commission Convener, and Lorna Johnston, Executive Director.

Background information

The ethical standards framework covers all councillors in Scotland, and members of public bodies listed under Schedule 3 of the [2000 Ethical Standards in Public Life Act](#). Councillors are obliged to comply with their code of conduct. Complaints are assessed and, where admissible, investigated by the Ethical Standards Commissioner (ESC). Following investigation, the ESC may then refer the matter to the Standards Commission for Scotland (SCS). If the SCS finds at a Hearing that a breach of the Code has occurred, it will impose a sanction.

The Standards Commission for Scotland

The Standards Commission is a statutory body established by the [2000 Act](#). The Act - one of the first pieces of legislation of the devolution period – included provisions for a new code of conduct for councillors which would be enforced by the Standards Commission. The Act was intended to “enhance the reputation of local government and to ensure a commitment to the highest standards”.

The [2000 Policy Memorandum for the Bill](#) states that legislation would “provide for clear standards for all councillors and a transparent system for the investigation and consideration of alleged breaches”. It goes on to state:

“The Bill will establish a Standards Commission for Scotland which will have overall responsibility for dealing with alleged breaches of the codes. The Executive consider that the creation of a single independent body is necessary to provide the public, the

bodies governed by the Bill, and their members with confidence that every allegation will be subject to a consistent process and will be dealt with thoroughly and fairly. A national body will also develop expertise in dealing with alleged breaches.”

The single independent body system existed until 2010 when the [Scottish Parliamentary Commissions and Commissioners etc. Act 2010](#) was passed. This transferred investigatory powers to the newly created Ethical Standards Commissioner (ESC). A separate investigatory body had been a recommendation of the Session 3 [Review of SPCB Supported Bodies Committee](#), and the [subsequent Bill](#) was a Committee Bill.

According to the [Standards Commission website](#), the independence of the investigatory role undertaken by the ESC and the adjudicatory role undertaken by the Standards Commission is a crucial principle. The reason for the separation of functions between the two distinct organisations is to ensure impartiality, fairness and objectivity in the decision-making process.

The Standards Commission for Scotland (SCS) encourages high ethical standards in public life including the promotion and enforcement of [relevant codes of conduct](#). They issue guidance to councils and devolved public bodies, and, crucially, adjudicate through hearings on alleged breaches of codes of conduct by councillors or board members. Where a breach is found, the Commission will apply a sanction.

The Commission comprises a convener and four Commission members who are appointed by the SPCB. The Commission employs four staff, led by an Executive Director. It spent £345,000 in 2024-25, around the same as the previous year.

The Standards Commission has an oversight role in respect of how the ESC undertakes some of its functions and has powers to issue Directions under the 2000 Act. As [noted by Audit Scotland](#), the Standards Commission used these directive powers for the first time during 2020-21.

The Standards Commission previously told the Committee that there is no comparable system in England, where local authorities take charge of their own disciplinary issues. However, there are similar bodies in Wales, Northern Ireland and the Republic of Ireland. Today’s session will focus on the [Commission’s Annual Report 2024-25](#).

The Ethical Standards Commissioner

The Ethical Standards Commissioner (ESC) is an independent regulator appointed and funded by the Scottish Parliamentary Corporate Body (SPCB) and approved by MSPs. It is underpinned by various pieces of legislation, including the [Ethical Standards in Public Life, etc \(Scotland\) Act 2000](#), the 2002 [Scottish Parliamentary Standards Commissioner Act](#) and the [Scottish Parliamentary Commissions and Commissioners etc. Act 2010](#)

The SPCB allocated a budget of £1,792,000 to the ESC in financial year 2024-25, although the Commissioner handed back £80,000. The Commissioner’s office employed 18.8 FTEs in 2024-25. The Annual Report tells us that staff costs increased by 16% over the year, reflecting “the first full year with all vacancies filled

following recruitment to new posts in 2023/24, as well as incremental increases as staff move up through their paycales”.

Total expenditure by the ESC in 2024-25 was £1,701,000. This compares to £1,540,000 in 2023-24, a 10% increase over the year.

Under [the 2010 Scottish Parliamentary Commissions and Commissioners Act](#), the ESC is an independent officeholder and the exercise of their statutory functions is not under the direction or control of MSPs, the Scottish Government or the SPCB. This is to protect their independence.

The 2010 Act provides that the Commissioner must lay an annual report on the performance of their functions. A [2009 review](#) recommended that the SPCB supported bodies, including the ESC, should be subject to committee monitoring and scrutiny on the exercise of their functions on at least an annual basis.

Today's session will focus on the Ethical Standards Commissioner [Annual Report and Accounts 2024-25](#), with a particular focus on work relating to local councillors.

What does the Ethical Standards Commissioner do?

The Ethical Standards Commissioner (ESC) has three main roles:

1. To investigate complaints about the conduct of MSPs, local authority councillors, board members of public bodies and lobbyists.
2. To investigate complaints about lobbyists who have failed to register or provide certain information to the Scottish Parliament.
3. To regulate how people are appointed to the boards of public bodies in Scotland.

Where the ESC considers there to have been a breach of the relevant Code of Conduct, they will report to the Standards Commission for Scotland (SCS) in the case of councillors and members of public bodies. In the case of MSPs, the ESC will report to the Parliament's Standards, Procedures and Public Appointments Committee.

The Councillor Code of Conduct

The Councillors Code of conduct - most recently revised in 2021 and approved by Parliament – is [available to view on the SCS website](#).

The Code is produced by the Scottish Government and approved by Parliament. The first Code was published in 2002 and was developed by COSLA on behalf of the Scottish Executive in 2001 ([see Committee discussion at the time](#)). It has been revised three times since.

The main difference between the current (2021) Code and previous versions is that provisions are written in plain English and use the “I will” form, directly addressing councillors. It provides more information about when the Code will apply and sets out

the requirement for councillors to treat everyone with courtesy and respect in person, in writing, at meetings and when they are online. It also notes that it is the *impact* of the behaviour, not the intent, that is key.

There is also a provision stating that councillors will not take, or seek to take, unfair advantage of their position in their dealings with employees; and that they will not bring any undue influence to bear on employees to take a certain action. The provision prohibits councillors from asking or directing an employee to do something that they know, or should reasonably know, could compromise the employee or prevent them from undertaking their duties properly and appropriately.

Annex A - the Protocol for Relations Between Councillors and Employees in Councils - outlines the different roles councillors and employees have, and how they should behave towards each other. The Annex further reiterates that councillors should not raise any adverse matters relating to the performance, conduct or capability of employees in public.

Parliamentary consideration of the 2021 revised Code

In developing the revised Code, Scottish Government officials worked with the Standards Commission, Ethical Standards Commissioner, COSLA, the Society of Local Authority Chief Executives and Senior Managers and the Society of Local Authority Lawyers and Administrators.

The 2000 [Ethical Standards in Public Life etc. \(Scotland\) Act](#) requires any revised Councillor Code to be laid before and approved by a resolution of the Scottish Parliament.

The Local Government, Housing and Planning Committee [considered the revised code in October 2021](#). Miles Briggs MSP raised the issue of councillors feeling they are unable to comment publicly on concerns they have about the running of the council. The Local Government Minister at the time, Ben MacPherson MSP, replied:

“A balance has to be struck here. There will be members of staff working for councillors who are not at an appropriate level for criticism in the public domain, and a lot of this is about taking their wellbeing into consideration.”

His official continued:

“The main concern here is adverse comments about employees. We are not saying that councillors will lose their right to scrutinise the council; indeed, that is part of a councillor’s role. Instead, we are trying to protect employees from being individually picked on by councillors...It is more than anything a matter of how something is said.”

The [Committee recommended the new Code be approved](#) but also raised the issue highlighted by Mr Briggs. Its report stated:

“The Committee would welcome an assurance from the Scottish Government that training to accompany the Code will make clear that is not the intention of paragraph 23 of Annex A to the code to prohibit councillors from making any criticism of their Council.”

The Standards Commission provides [Guidance on the Councillors' Code](#) and various [Advice Notes](#).

The complaints process

Anyone can complain to the Ethical Standards Commissioner (ESC) if they believe someone in public office, including a councillor or MSP, has breached their code of conduct.

The ESC looks into each complaint and assesses whether or not the code of conduct has been followed. During the “screening stage”, the ESC asks the complainer for more information. If at this point they decide not to investigate the complaint, the ESC will write to the complainer explaining their reasons.

If the ESC decides there may have been a breach, it will conduct a full investigation. At this stage, if they have not already done so, the ESC will write to the person being complained about and the council they represent.

The ESC may contact other people who can help with the investigation and will interview relevant witnesses. If necessary, the ESC can compel witnesses to attend interviews and to produce documents.

The length of time it takes to complete an investigation depends on the complexity and seriousness of the complaint. At the end of the investigation, the Commission will consider the available evidence and decide whether or not there has been a contravention of the Code of Conduct. The Commissioner’s decision is final with no right of appeal.

If the ESC finds there has been a contravention, the person complained about will have a chance to review the ESC’s conclusions and provide comments. The ESC will then report the outcome of the investigation to the Standards Commission for Scotland (when it relates to councillors or board members).

The Standards Commission will then decide to either direct the ESC to carry out further investigations, hold a hearing, or it will take no further action.

The Standards Commission holds hearings (usually in public) to determine whether a councillor has breached the Code of Conduct. The Hearing Panel is comprised of three members. The ESC will present the findings of their investigation and/or make submissions at the hearing about why they consider the Respondent has or has not contravened the relevant Code. The respondent is entitled to attend or be represented at the hearing and can also present evidence and make submissions. Both parties can call witnesses.

After it has heard all the evidence and submissions, the Hearing Panel will decide whether or not there has been a contravention of the Code by the respondent. If the Hearing Panel decides there has been a breach, it will then impose a sanction, which could include an interim suspension.

Previous problems with the Ethical Standards Commissioner office

The [ESC's 2020-21 Annual Reports and Accounts](#) noted that the Standards Commission took the unprecedented step of issuing directions to the Ethical Standards Commissioner during that financial year. This was with a view to providing assurance to itself and others that the office was executing its functions in accordance with its founding legislation. The Commission directed the ESC to:

- submit interim reports where an investigation takes more than three months.
- report outcomes of each investigation undertaken.
- carry out an investigation into every complaint about a Councillor and Member save in specific circumstances set out in the Direction.

Audit Scotland Section 22 Report

The unprecedented directions from the Standards Commission, combined with high staff turnover and the absence of engagement with an Advisory Audit Board, led external auditor, Deloitte, to conduct a wider scope audit. Their [external audit report](#) identified a number of failings including:

- an absence of openness and transparency;
- a breakdown in key relationships with stakeholders and within its own office;
- no effective scrutiny or challenge which might have flagged up issues earlier.

The Deloitte report also included around 20 recommendations as to how the ESC could address these shortcomings. Their report led to Audit Scotland issuing a “section 22 report”¹. [Audit Scotland concluded](#) that “public trust in the body that investigates complaints about the behaviour of MSPs and councillors is now at risk because of serious failings in the way it is run”.

Audit Scotland noted that minutes of the Standards Commission’s meeting on 26 April 2021 stated that the Standards Commission found that there had been failings in the handling of the majority of rejected cases as either:

- an investigation should have been carried out but was not, or
- some investigation had been carried out before rejection, and so a report should have been made to the Standards Commission, for it to determine what action should be taken.

Audit Scotland noted that reports on the complaints in question had not been submitted to the Commission (for it to make the final decision on whether the complaint should be upheld), as required by the earlier direction. As such, the Standards Commission concluded there had been a contravention of the Direction

¹ A Section 22 report is where the Auditor General can directly raise his concerns with Parliament and the public arising from annual audit work.

and that the Convener of the Standards Commission should send the Scottish Parliamentary Corporate Body a formal complaint.

The 2024-25 Annual report states that all three SCS Directions “have since been rescinded or expired as their requirements are now fully incorporated into our Investigations Manual”.

Main issues raised during last year’s session

The Committee heard from the [Standards Commission and the Ethical Standards Commissioner in November 2024](#). The following summarises some of the main points discussed.

Ethical Standards Commissioner session

- Complaints handling performance is improving and positive developments have been implemented to tackle the complaints waiting list.
- We should all be worried about ethical standards in local democracy - the impression is that standards are not great and that certain issues are driving up complaint numbers.
- Some geopolitical events drive up complaint numbers as do debates on contentious matters.
- The financial constraints that councils face and some of the very challenging decisions that they are having to make also drive-up complaint numbers.
- Councils are having to make very difficult decisions about service provision, which leads to debates that, on occasion, are becoming personalised.
- With the majority of complaints coming from members of the public, the ESC is doing work to improve awareness levels, “because quite a lot of complaints are inadmissible”.
- There is potentially scope to make Code of Conduct training mandatory for councillors.
- Many complaints from the public relate to council decisions, the services they receive from their local councillor, how frequently councillors respond to emails, whether they respond to emails and whether they are doing exactly what the constituent wants them to do.
- These are areas where the Code of Conduct does not apply.
- The ESC has been working on providing more accessible information into the public domain via LinkedIn and YouTube to help the public to understand what its role is, what the ethical standards framework is and when the code does and does not apply to the work of councillors.

- If a councillor engages in debates on social media that can certainly generate complaints from members of the public.
- Some complainants “deluge us with a considerable amount of material”.
- The ESC has introduced a new complaints allocation plan, which is a more formal and apparently efficient way of triaging complaints.
- The Commissioner feels his office has sufficient resources to deal with his office’s workload. But it does need to improve on productivity.
- When asked about the considerable increase to his office’s budget, the Commissioner highlighted work done to fill vacancies. The additional resource amounted to 7.6 full time equivalent staff.
- The Commissioner was asked about the survey the ESC rolled out to complainers and respondents. This resulted in a very poor return rate.
- The Commissioner had also told the committee previously that his office had planned to do research on the issue of female councillors facing hostility and toxicity in the council environment.
- His impression is that there is a feeling from new, young female councillors in particular that they are entering a misogynistic environment.

After the session, the Ethical Standards Commissioner [wrote to the Committee](#) stating that he had undertaken some research in order to provide the Committee with supplementary information on the extent to which female councillors complain about conduct or are, conversely, complained about, in comparison with their male counterparts.

This research found that in 2023-24, 15 out of 47 councillor-on-councillor complaints were made by women, compared to 31 by men. With regards to respondents (who the complaint is about), 20 of 47 were made about women, 24 were made about men.

Among all complaints, which include complaints from members of the public, officers, and community councillors, 110 out of 317 were made by women, compared to 161 by men. With regards to respondents (who the complaint is about), 95 of 317 were made about women, 185 were made about men and 31 were made about a transwomen.

He found that their dataset “has gaps and cannot be considered to be infallible”. As such, [the Committee wrote](#):

“In order to produce more robust datasets in the future, the Committee would be grateful if you could consider options for gathering data relating to the sex or gender identity of complainers and respondents in the future, such as requesting demographic data earlier in the process as you suggested might be possible.”

Standards Commission session

- The main thing that the Commission does in terms of a positive impact on ethical standards in public life is training and promotional work.
- Its impact comes about by raising awareness of the codes and how to interpret the provisions.
- One of the things that shows impact is the reduction in “inadvertent breaches of the codes”, e.g. where the issue is less of a behaviour-type breach and may be, for example, a failure to register an interest within the time that is allowed.
- The Commission’s understanding is that, after the council election, almost all councils offer and provide training on the Code of Conduct.
- However, they were not sure about training after a byelection.
- Training on the Councillor Code is not mandatory.
- The Commission had not been able to do any research over the past year on whether standards of behaviour are deteriorating. This was because of capacity issues.
- However, they are not seeing huge increases in the number of breaches of the Code.
- The Convener of the Commission said that holding hearings online cuts down costs, but there are a range of advantages to holding hearings in-person.
- There have been some increases in complaints relating to comments made by councillors about officers on social media.
- Over the past five years, the Commission has seen more respect-type complaints, eg councillors’ behaviour towards members of the public, their colleagues and council officers, as well as councillors perhaps getting a bit involved in operational management of the council.
- Many of the provisions in the Code are “subject to interpretation. Respect, bullying and harassment are subjective. It can be that there is a difference in how things are interpreted.”
- The Committee had previously asked about councillors feeling that they were not able to scrutinise effectively. Some councillors were struggling to know how to scrutinise without being challenging and disrespectful.
- The Commission took this on board and tried to work with councils to enable councillors to challenge and scrutinise more effectively.
- The also worked with the Improvement Service on an advice note for councillors on the right to access information.

- The issue of article 10 of the European convention on human right, relating to freedom of expression, was discussed.
- The joint letter from the Ethical Standards Commissioner and the Standards Commission to the Scottish Government was discussed.
- This proposed some changes to legislation and the Commission confirmed that these changes relate to securing best value.
- For example, a hearing is currently held even when the respondent accepts they have breached the Code, The Commission wants this changed.

After the session [the Committee wrote to the Convener of the Standards Commission](#) regarding the issue of mandatory Code of Conduct training for councillors. The Committee wrote:

“You offered to write to all local authorities to request they agree to making training on the Code of Conduct mandatory for new councillors. The Committee agreed this was a helpful approach, recognising the caveats about the powers of the Standards Commission. It would also be helpful to know which councils currently provide this training within six months of a councillor being elected, whether this is compulsory, the regularity of provision and an indication of levels of uptake.”

The Commission wrote to all local authorities and received responses from 29. All these councils offer training on the Code to councillors within 6 months of them being elected. However, only a third said it was deemed “compulsory”. A number of respondents noted that while they did not have the statutory power to designate such training compulsory, attendance was strongly encouraged. See [Commission response to the Committee](#).

Main issues raised in the 2024-25 Annual Reports

The focus of today’s session is on the recently published annual reports for 2024-25. The following summarises some of the main points raised.

Ethical Standards Commissioner Annual Report

The ESC’s [Annual Report](#) shows that in 2024-25 they received 2,749 complaints about councillors or public board members; however, 2,520 complaints are connected to just one case, which the ESC calls a ‘super complaint’. Including these would suggest that complaints have increased by over 700% since 2023-24. Excluding these and complaint numbers reduced by 30% over the year.

Table 1: Complaints received about councillors and board members

	2020-21	2021-22	2022-23	2023-24	2024-25 (incl. super complaint)	2024-25 (excl. super complaint)
Number of complaints received	238	330	159	344	2,749	244

The “super complaint”

The “super complaint” of 2,520 complaints was submitted through one email regarding 12 councillors in West Dunbartonshire Council and had 210 signatories. The ESC is required to record complaints individually, regardless of whether they are made collaboratively. All of these complaints were recorded as a single case. This case was closed and dismissed at the assessment stage due to not meeting the admissibility criteria.

Analysis of complaints received

Over 80% of total complaints received in 2024-25 (excluding the “super complaint”) were from members of the public, which is consistent with previous years. There was an increase in the number of complaints coming from council officers. These amounted to 11 complaints (5 in 2023-24), or 5% of total complaints received.

The most common type of complaint received by the ESC relates to “disrespect” towards employees, other councillors and the public. Of 106 such complaints, 44 incidents took place in a council/board meeting and 23 related to disrespect on social media. 27 disrespect complaints took place in a “another setting”.

Analysis of complaints and cases completed

Although the “super complaint” numbers skew the following table, we can still see that the ESC fully investigated 142 complaints in 2024-25. This is almost double the number fully investigated in the previous year.

Table 2: analysis of complaints **completed** (relating to councillors and board members)

	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25 (incl. super complaint)
Complaints completed*	256	277	208	218	210	2,857
Not pursued after initial investigation (as % of total complaints)	214 (84%)	227 (82%)	125 (60%)	121 (56%)	127 (60%)	2712 (95%)
Fully investigated (as % of total complaints)	40 (16%)	49 (18%)	75 (36%)	79 (36%)	77 (36%)	142 (5%)

*total include complaints which were withdrawn during the process.

When the ESC receives several complaints about the same or closely related issues, they may be combined together and assessed/investigated as a single “case”.

70 case reports were submitted to the Standards Commission in 2024-25. Of these, 15 were assessed by the ESC to show a breach of the councillor code of conduct and 55 were assessed to show no breach. The Standards Commission considered all 70.

It is often the case that the Standards Commission comes to the same conclusion as the ESC in terms of breach vs. no breach. However not all the time. The ESC Annual Report states:

“There was a high level of agreement (93%) between ESC and SCS in cases where no breach was reported, with the majority resulting in no Hearings being held. In breach report cases, the level of agreement was lower at 53%.”

For those cases that were not sent to the Standards Commission, 111 of 123 were closed due to insufficient evidence to support the allegation being made.

Standards Commission Annual Report

During 2024-25, the Standards Commission held 15 Hearings to determine whether councillors or board members had breached their respective Code of Conduct and, if so, to decide the sanction to be applied.

The following table sets out the decisions of these hearings:

Decisions	Number of hearings
Finding of breach	11
Finding of no breach due to Article 10*	2
Finding of no breach	2
Total	15

* the Respondent's conduct amounted to a breach of the applicable Code, but an overall finding of no breach was justified in light of the Respondent's right to freedom of expression under Article 10 of the ECHR.

Of the 11 cases where a breach was found, three respondents were censured and eight were suspended for a range of periods. There were no disqualifications ordered in 2024-25.

Appendix A of the Annual Report includes a summary of cases considered by the Commission over the year.

Other issues covered in the Standards Commission Annual Report

In addition to information on hearings and decisions, the Annual Report includes the following key points:

- The Commission continues to promote high ethical standards and awareness of the Code of Conduct in place for all councillors.
- This includes raising awareness amongst the public on the ethical standards framework and educating them on when the Codes apply.
- The Standards Commission and ESC sent a joint letter to all political parties in Scotland, in advance of the 2024 General Election, inviting them to help promote the Councillors' Code and encourage awareness of its provisions and, in particular, the ones that require councillors to treat each other with courtesy and respect and to refrain at all times from engaging in conduct that would constitute bullying and/or harassment.
- The Commission agreed, as a general rule, that it would only hold Hearings online and livestream them, in cases where it appeared there was little dispute between the parties and a limited number of witnesses (other than the Respondent) were to be called.

Standard Commission and ESC's proposed changes to legislation

On the 26th September 2024, the Standards Commission and the Ethical Standards Commissioner [sent a joint letter](#) to the Scottish Government setting out both

organisation's hopes for changes to legislation. Some of the specific changes they would like to see include:

- New powers to co-opt additional members to sit on SCS hearing panels.
- Inclusion of explicit powers and a clear route for the Scottish Parliamentary Corporate Body to remove or replace an incumbent SCS Member or the ESC (in the event of a serious performance, conduct or attendance issue).
- It is proposed that the requirement for complaints to be made in writing and signed be amended, as it is not considered that it is necessary for a complaint form that is completed and submitted online to be signed.
- It is proposed the 2000 Act be amended to state that the ESC will report to the Standards Commission on the outcome of *all* investigations.
- Currently the SCS has three options when they receive a report from the ESC: hold a hearing, direct the ESC to undertake further investigation or do neither. It is proposed that the 2000 Act be amended to give SCS a further option, which is to find a breach of the Code without holding a Hearing.
- It is proposed the 2000 Act be amended to allow the SCS to consider any previous breaches of similar provisions in the applicable code by the same Respondent within a five-year period, when determining the sanction to be applied for any new contravention.
- It is proposed legislation be amended to give the SCS the discretion not to impose a sanction if it deems it not appropriate to do so (for example in a case where there were compelling, extenuating or mitigating circumstances).

When asked about these proposals [during last year's Committee session](#), the Commission's Chair stated:

"It is almost 25 years since the bill that became the Ethical Standards in Public Life etc (Scotland) Act 2000 was passed. The changes that we have suggested are examples of where greater clarity might be needed or where things could be managed more efficiently and effectively. We have learned those things over time."

In its Annual Report, the Commission states:

"A response [from the Scottish Government] was received advising that the proposals would be considered, albeit there is currently no suitable legislative vehicle to take forward any amendments to the legislation in the current Parliamentary term."

Greig Liddell, Senior Researcher, SPICe, 20 November 2025

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.