

Ariane Burgess MSP
Convener
Local Government, Housing and Planning Committee
The Scottish Parliament

06 February 2025

Sent by email to: localgov.committee@parliament.scot

Dear Convener

Supplementary information

Thank you again for the opportunity to provide evidence to the Committee in November and also for your letter of 18 December, requesting some supplementary information.

I and the staff are grateful for your very kind remarks about the improvements we have made as an office.

Complaints about/by female councillors

I undertook to conduct 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.

Apologies for the delay in obtaining this information for the Committee. It wasn't entirely straightforward for the following reasons:

1. Our complaint form asks complainers to provide us with their title (eg Mr, Mrs, Ms, Dr, Councillor etc.). Complainers are not obliged to provide their title, just their name, and not all of them provide a title.
2. When complainers complain about councillors, they do not necessarily provide any information on the sex or gender of the respondent. Complainers may not provide information about their own sex or gender either. Even where pronouns are used, they are not necessarily reliable.
3. The term "councillor" (among others such as Dr) is a gender neutral one.
4. We do not ask complainers or respondents to provide demographic data at the point at which they make a complaint, other than the request to provide a title (see 1 above). This is intentional as we would be concerned that asking for such data at the point of making a complaint could discourage anyone from complaining or otherwise engaging with our office¹.
5. Although we have the names of both complainers and respondents, we do not consider it appropriate to make assumptions about sex or gender identity on the basis of those

¹ When our process is complete, we do send complainers and respondents a link to a survey asking about for their views about their interactions with our office and specifically whether we adhered to our values. We do ask for demographic data at the end of the survey, given that it is run anonymously. As the Committee will be aware from our evidence session, return rates are very low.

names. Such assumptions could be inaccurate and may not reflect how individuals identify themselves, which is why we refrain from drawing conclusions of this nature.

As such, and where the sex or gender identity of complainers has not been provided by way of a title, we have had to refer to other reliable sources of information such as the online profiles of these individuals where it is clear that they have identified themselves as such or endorsed that identification by other parties, such as their political parties. We have used the same approach to identify the sex or gender identity of respondents.

The results of our research for the last financial year are included in appendix one to this letter. The Committee will understand that, given the constraints noted above, the dataset we are working with has gaps and cannot be considered to be infallible as a consequence. I trust that the results of the research will, in any case, be of interest to the Members.

If the Committee would like us to take a different approach to gathering such data in future, such as requesting demographic data earlier in the process, we would be happy to consider doing so.

Whether inadmissible complaints made by councillors are made because they have not had training on the provisions of the Code of Conduct

We do not ask complainers at the point of complaining to us whether they have been trained on the provisions of the Code of Conduct. As such, we do not hold any data at all on this matter and are unable to provide the Committee with a response at the current time.

There are, however, options.

1. We could write to the local authorities which we know the complaining councillors belong to to ask for information on which councillors did or did not undergo training on the Code prior to our last financial year end. We could not ask about training for the councillors concerned, as this would in effect identify them as complainers and represent a breach of confidentiality. The Councils themselves may not hold this data or have it in a state in which it can be readily provided to us and there may also be concerns about their disclosing it. This means that we may obtain only an incomplete picture – although it would be my intention to make the request on the basis that it will assist the Committee with a strand of work that it is undertaking.
2. The second option would be not to undertake the research this year but instead to add an optional question to our initial complaint form for the next financial year for councillors only, asking them if they have undertaken such training. This could provide our office and the Committee with the information requested for 2025-26 and in future years.

In any event, I understand that the Committee has asked the Standards Commission for Scotland to survey Councils on training more generally and that this research is currently being conducted. It may be that this gives the Committee the information it requires to consider this matter further.

I would be grateful for the views of the Committee on which, if any, of these options it feels it would be appropriate for my office to pursue. Equally, if Members have alternative options that it would like me to consider, I would be happy to do so.

Ethical Standards Commissioner

I trust that this is all clear and helpful to you and to the Members of the Committee in the interim and look forward to receiving your views on the options I have set out.

Please don't hesitate to contact me if you have any questions about this response or if I can be of any further assistance in the meantime.

Yours sincerely

Ian Bruce
Ethical Standards Commissioner

APPENDIX – COMPLAINTS MADE ABOUT AND BY FEMALE VERSUS MALE COUNCILLORS

Total complaints

Total complaints received in 2023/24 financial year **317**

Complainers

Total made by women 110

Total made by men 161

Total where sex or gender of complainer not known 46

317

Respondents

Total made about women 95

Total made about a transwoman 31

Total made about men 185

Total where sex or gender of respondent not known 6

317

Complaints made by

Total made by members of the public 260

Total made by officers 5

Total made by councillors 47

Total made by community councillors 2

Total anonymous 3

317

Complaints made by and about

Members of the public about women 73

Members of the public about a transwoman 31

Members of the public about men 152

Members of the public about not known 4

Officers about women 0

Officers about men 5

Councillors about women 21

Councillors about men 24

Councillors about not known 2

Community councillors about men 1

Community councillors about women 1

Anonymous about women 0

Anonymous about men 3

317

Councillor on councillor only

Male councillor complains about female councillor	11
Male councillor complains about male councillor	18
Male councillor complains about not known	2
Female councillor complains about female councillor	9
Female councillor complains about male councillor	6
Not known councillor about a female councillor	1
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