
STATES OF JERSEY



COMMISSIONER FOR STANDARDS: INVESTIGATION OF COMPLAINT OF BREACH OF THE CODE OF CONDUCT FOR ELECTED MEMBERS BY CONNÉTABLE R. BUCHANAN OF ST. OUEN

**Presented to the States on 1st April 2021
by the Privileges and Procedures Committee**

STATES GREFFE

REPORT

The Privileges and Procedures Committee has received a report from the Commissioner for Standards regarding a self-referral by Connétable R. Buchanan of St. Ouen. Connétable Buchanan referred himself for investigation in relation to a potential breach of the Code of Conduct for Elected Members.

The self-referral arose from media coverage related to electricity charges levied on tenants living in a property jointly owned by Connétable Buchanan.

The Commissioner for Standards found that Connétable Buchanan did not breach the Code of Conduct for Elected Members.

The Committee accepts the Commissioner's report, which is attached, and considers that no further action is necessary.

PRIVILEGES AND PROCEDURES COMMITTEE

COMMISSIONER FOR STANDARDS:**INVESTIGATION OF SELF-REFERRAL BY CONNÉTABLE R. BUCHANAN OF ST. OUEN****Introduction**

Connétable R. Buchanan of St. Ouen referred himself in relation to a potential breach of the Code of Conduct for Elected Members. I acknowledged the self-referral on 25th March 2021 and sought relevant background documentation.

Summary

The self-referral arises from media coverage related to electricity charges levied on tenants living in a property jointly owned by Connétable Buchanan. A statement was supplied by Connétable Buchanan which set out the situation from his perspective.

The property in question is properly declared in accordance with Article 7, Register of Interests of Elected Members.

The relevant provision of the Code of Conduct for Elected Members is Article 5 – Maintaining the integrity of the States.

Elected members should at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the States of Jersey and shall endeavour, in the course of their public and private conduct, not to act in a manner which would bring the States, or its Members generally, into disrepute.

The facts

There do not appear to be any disputed facts in this case. Connétable Buchanan in his account accepts that during the period September 2017 to April 2019, his tenants were inappropriately levied for costs related to the provision of electricity meters and cards. This inappropriate charge amounted to £42 per residential unit and was refunded when the Environmental Health Inspector brought the matter to his attention.

A letter dated 25th November 2019 advised Connétable Buchanan that no further action was being taken.

Analysis and findings

I do not believe that Connétable Buchanan breached the Code of Conduct for Elected Members. He was responsible for a business decision which, when he was advised that it breached the Residential Tenancy Supply of Services Order, he corrected and refunded the overpayments to his tenants. The Department of Environmental Health was satisfied with his remedial actions and took no further action. Self-referral was appropriate and Connétable Buchanan has thus demonstrated his accountability to the citizens of Jersey.

Paul Kernaghan CBE QPM
Commissioner for Standards