



BUSINESS PLAN

2011 / 2012

1. INTRODUCTION

This Business Plan expands upon the information contained in our Strategic Plan 2011/15 in which we set out our plans for the four year period. The Business Plan covers the first year of the four year period and we set out in more detail how we aim to achieve the objectives set out in the Strategic Plan.

2. PURPOSE

The Standards Commission is an independent body whose purpose is to encourage high ethical standards in public life through the promotion and enforcement of Codes of Conduct for Councillors and those appointed to the Boards of Devolved Public Bodies

3. STRATEGIC OBJECTIVES 2011/12 – 2014/15

The Standards Commission's strategic objectives for the four-year period are as follows:

1. To promote the Ethical Standards Framework to ensure the Codes of Conduct are recognised and respected by the public and other stakeholders.
2. To assist councils and public bodies to achieve the highest ethical standards of conduct and ensure the advice and support provided by the Standards Commission responds to their needs.
3. To enforce the Codes of Conduct impartially, timeously and in accordance with legislation.
4. To operate in accordance with the principles of good governance, best value, joint working and working in partnership.

4. BUSINESS OBJECTIVES

We set out below our business objectives for the year 2011/12. Each objective is shown under the main strategic objective to which it contributes. However, a number of our business objectives will contribute to more than one of our strategic objectives and, where applicable, this is shown.

THE STANDARDS COMMISSION FOR SCOTLAND

1. To promote the Ethical Standards Framework to ensure the Codes of Conduct are recognised and respected by the public and other stakeholders

| OBJECTIVE | 1 st quarter APR – JUN | 2 nd quarter JUL - SEPT | 3 rd quarter OCT – DEC | 4 th quarter JAN - MAR |
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| Regular dialogue with stakeholders to monitor understanding of and respect for the Codes amongst the public, councillors and members of public bodies | Progress: event held at Orkney Council | Progress: meeting with COSLA and meeting with COSLA and Improvement service to discuss learning needs of councillors, particularly following the 2012 local elections | Progress: events held at Shetland and Western Isles Councils (attended by councillors and officers) Action: Follow up discussion with Improvement Service | Meeting with Council Leaders (TBC) |
| Consistent decision making by the Standards Commission in relation to breach cases and hearings | Progress: LA/ER/104C held | Progress: LA/NL/961 held | Action: review of Hearing Rules commenced | Actions: complete review of Hearing Rules by end March 2012 On-going in terms of Hearings |
| Engage with and provide advice to Scottish Ministers and the Parliament | | Progress: provision of advice to Scottish Parliament officials on Localism Bill | | Action: Mar - consideration of any end-of-year advice in light of experience, including through complaints, Hearings, dialogue and surveys |
| Promote the role and content of the Codes in Scottish public life | | | Action: Dec – finalise new website | Action: Jan – launch of revamped website |
| The details of hearings held that will be published in the Standards Commission's Annual Report | | Progress: published in Annual Report 2010/11 | | Action: Mar - collation of material for inclusion in Annual Report 2011/12 |
| Assessment of the level of awareness and attitudes to the Codes that will be submitted annually to Scottish Ministers and the Parliament | | | Action: MO/SO survey-preparation of questions to MOs/SOs on this issue (see item below) | Action: issue of survey and analysis of responses. (see item below) Inclusion in Annual Report in summary, plus report to Ministers highlighting key areas |
| The development of a programme of survey work and publication of its results | | | Progress: November-December development of survey to MOs/SOs Progress: issue of draft survey | Action: issue of survey 13 Jan Analysis of results – end Feb Consideration of analysis Mar (C) |

| OBJECTIVE | 1 st quarter APR – JUN | 2 nd quarter JUL - SEPT | 3 rd quarter OCT – DEC | 4 th quarter JAN - MAR |
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| | | | to MO/SO Working Group and PSC | |

2. To assist councils and public bodies to achieve the highest ethical standards of conduct and ensure the advice and support provided by the Standards Commission responds to their needs

| OBJECTIVE | 1st quarter APR – JUN | 2nd quarter JUL - SEPT | 3rd quarter OCT – DEC | 4th quarter JAN - MAR |
|--|---|--|--|---|
| A review of complaints referred to the Public Standards Commissioner (“PSC”) and information obtained from other sources to identify issues for guidance and advise to councils or public bodies | Progress: PSC’s Notes of Decisions considered at Commission meetings | Progress: PSC’s Notes of Decisions considered at Commission meetings Event held at Orkney Council | Progress: PSC’s Notes of Decisions considered at Commission meetings Events held at Shetland and Western Isles Councils | Action: ongoing – review Mar (C) |
| Giving support to the development of education programmes to help councils and public bodies provide training for their councillors and members | | Progress: initial discussions with COSLA and the Improvement Service | Action: input to Improvement Service’s induction and continuing professional development materials for councillors. Progress: Seek information from MOs and SOs in survey | Action: analysis of survey responses regarding education programmes Mar (C) – to be taken forward 2012/13 |
| Provide advice on the interpretation of the Codes to the staff and members of councils and public bodies | Progress: on-going work on Guidance for Councils On-going provision of ad hoc advice | Progress: on-going work on Guidance for Councils On-going provision of ad hoc advice | Action: finalise and issue Guidance for Councils On-going provision of ad hoc advice | Action: consideration of amendments required to Guidance for Public Bodies (ongoing – first review early 2012/13) |
| Publish Standards Commission findings in any breach hearings for the information of relevant organisations i.e. all councils or public bodies | | Progress: decision in respect of LA/ER/104C on website | Progress: decisions in respect of LA/NL/961, LA/E/1098 &1108 and LA/G/1049 on website | Action: on-going |
| Consult periodically on the Standards Commission’s Guidance document | | Progress: consultation in Guidance for Councils with COSLA, SOLAR & SOLACE | On-going consideration of any changes/additions in view of guidance requests, dialogue with stakeholders etc. | On-going consideration of any changes/additions in view of guidance requests, dialogue with stakeholders etc Action: analysis of survey responses regarding guidance materials Mar (C) |

| OBJECTIVE | 1st quarter APR – JUN | 2nd quarter JUL - SEPT | 3rd quarter OCT – DEC | 4th quarter JAN - MAR |
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| Liase with relevant organisations to identify the needs of councils and public bodies to help focus the advice and support provided by the Standards Commission | | Progress: meetings with COSLA and the Improvement Service. | Progress: input to Improvement Service's training materials for councillors | Action: meetings with SPSO and Accounts Commission (TBC) |
| The analysis of trends in complaints to the PSC and an account of any guidance or advice issued | Progress: on-going consideration of PSC's reports at Commission meetings | Progress: on-going consideration of PSC's reports at Commission meetings | Progress: on-going consideration of PSC's reports at Commission meetings Progress: consideration of further information required from PSC – Dec (C) | Action: discuss requirements for the provision of additional statistical information with PSC (Jan) Action: Mar – collation for Annual Report 2011/12 |
| The recorded programme of visits to councils and public bodies | | Progress: visit to Orkney Council | Progress: visits to Shetland and Western Isles Councils | Action: Inclusion in Annual Report 2010/11 |
| Advice has been provided within 20 working days of receipt of request | Progress: on-going provision of advice within timescale | Progress: on-going provision of advice within timescale | Progress: on-going provision of advice within timescale | Progress: on-going provision of advice within timescale |
| The development of a Communication Strategy and its implementation in 2011, with annual review | | Progress: consideration Sept (C) | Progress: further development and implementation – including website. | Action: Jan – launch of revamped website, Action: prepare briefing note for MSPs |
| The review of results from surveys conducted each year and their response rates | | | Progress: Nov onwards- Preparation of survey materials for MOs/SOs | Action: analysis of survey responses – consideration Mar (C) |

3. To enforce the Codes of Conduct impartially, timeously and in accordance with legislation.

| OBJECTIVE | 1st quarter APR – JUN | 2nd quarter JUL - SEPT | 3rd quarter OCT – DEC | 4th quarter JAN - MAR |
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| The Standards Commission will act in accordance with the Ethical Standards in Public Lift etc. (Scotland) Act 2000 and the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 | Progress: on-going compliance with Acts | Progress: on-going compliance with Acts | Progress: on-going compliance with Acts | Progress: on-going compliance with Acts |
| The Standards Commission will undertake its statutory adjudication role, in relation to alleged breaches of the Codes of Conduct, wholly independently of the PSC | Progress: on-going compliance | Progress: on-going compliance | Progress: on-going compliance | Progress: on-going compliance |
| If deemed necessary, the Standards Commission will direct the PSC to carry out further investigations in potential breach of code cases | Progress: on-going consideration of PSC's reports to consider if direction required | Progress: on-going consideration of PSC's reports to consider if direction required | Progress: on-going consideration of PSC's reports to consider if direction required | Progress: on-going consideration of PSC's reports to consider if direction required |
| The Standards Commission will determine whether or not to hold a hearing where a potential breach has been reported by the PSC | Progress: determinations in respect of- LA/ER/104C & LA/NL/961 | Progress: determinations in respect of – LA/G/1049 LA/E/1098&1108 | Progress: determinations in respect of – LA/EL/1133 & 1138 | Progress: on-going as required |
| In the event of a finding of a breach of the relevant Code, the Hearing Panel will determine the sanction to be applied | Progress: sanction applied in respect of LA/ER/104C | Progress: sanction applied in respect of LA/NL/961 | Progress: sanction applied in respect LA/E/1098&1108 and LA/G/1049 | Action: on-going when required |

| OBJECTIVE | 1st quarter APR – JUN | 2nd quarter JUL - SEPT | 3rd quarter OCT – DEC | 4th quarter JAN - MAR |
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| Cases that were listed for hearing will have commenced within 12 weeks of the decision to hold a Hearing | Progress: LA/ER/104C | Progress: LA/NL/961 listed to commence within 12 weeks, but adjourned to later date at request of parties (point of law) Progress: LA/G/1049 listed to commence within 12 weeks, but adjourned at the request of the PSC and Respondent. | Progress: LA/E/1098 & 1108 listed to commence within 12 weeks | Action: LA/EL/1133 & 1138 listed to commence within 12 weeks |
| Relevant parties will have been informed of the hearing within 15 working days | | Progress: LA/ER/104C | Progress: LA/NL/961 and LA/E/1098 & 1108 | Action: on-going compliance |
| The outcome of hearings will have been made available on the website within 25 working days of the hearing | | Progress: LA/ER/104C | Progress: LA/NL/961, LA/E/1098 & 1108 and LA/G/1049 | Action: on-going compliance |
| A substantive response to correspondence will have been given within 20 days of receipt | Progress: on-going compliance with timescales | Progress: on-going compliance with timescales | Progress: on-going compliance with timescales | Action: on-going compliance |
| A substantive response to complaints will have been given within 15 days of receipt | Progress: on-going compliance with timescales | Progress: on-going compliance with timescales | Progress: on-going compliance with timescales | Action: on-going compliance |

4. To operate in accordance with the principles of good governance, best value, joint working and working in partnership.

| OBJECTIVE | 1st quarter APR – JUN | 2nd quarter JUL - SEPT | 3rd quarter OCT – DEC | 4th quarter JAN - MAR |
|--|--|---|--|---|
| Collective leadership by the Standards Commission in the promotion of ethical standards in Scotland | | Progress: demonstrated by attendance at Orkney Council event | Progress: demonstrated by attendance at Shetland and Western Isles Council events | |
| Commitment to the Nine Principles of Public Life in Scotland (duty, selflessness, integrity, objectivity, accountability and stewardship, openness, honesty, leadership and respect) | | Progress: demonstrated by attendance at Orkney Council event | Progress: demonstrated by attendance at Shetland and Western Isles Council events Action: Dec (C) assessment of contribution to principles | |
| Adopting good practice and governance in the oversight of the Standards Commission's finances and other resources | Progress: continued examination by A&A Sub-Committee | Progress: continued examination by A&A Sub-Committee | Progress: continued examination by A&A Committee | Action: benchmark activity against other public bodies' financial and procurement procedures during Jan and Feb 2012 |
| Seeking opportunities to work jointly or in partnership with other public bodies in order to ensure efficient delivery of the Standards Commissions' role | | Progress: initiation of work with COSLA/Improvement Service Using facilities of larger public bodies if feasible eg, Scottish Legal Aid Board, Scottish Parliament | Progress: input to Improvement Service's induction and continuing professional development materials for councillors Progress: Scottish Parliament facilities used where feasible and appropriate | Action: Attend COSLA Council Leaders monthly meeting Action: arrangements for events for Councils following 2012 elections |
| The annual appraisal of Standards Commission's Members | | Progress: undertaken | | |
| A satisfactory annual report from the Standards Commission's auditors | | | | Progress: discussion with Scottish Parliament to allow introduction of shared services and assistance with |

| OBJECTIVE | 1st quarter APR – JUN | 2nd quarter JUL - SEPT | 3rd quarter OCT – DEC | 4th quarter JAN - MAR |
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| | | | | preparation of annual accounts. |
| An Annual Report that will identify how the Standards Commission has delivered best value in the preceding year and shows what steps have been taken to increase the levels of joint working and partnership undertaken | | Progress: budget submission for 2012/13 significantly lower than projected, due to merge of office to Scottish Parliament campus | | Action: agree timetable, format and aims of Annual Report 2011/12: Feb (C) |