



The Standards Commission for Scotland

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Agenda

1. Background
2. Legislation
3. Context
4. Role and Remit of SCS
5. Codes of Conduct
6. SCS Jurisdiction
7. Current Issues / Work
8. Summary
9. Any Questions?



Background

1990's

- Scandal in England 'Cash for Questions'

1994

- Establishment of Committee on Standards in Public Life (UK)

1999

- Scottish devolution – requirement for Standards in Scotland

2000

- Ethical Standards in Public Life etc (Scotland) Act

2002

- Standards Commission Scotland established

2003

- Codes of Conduct published

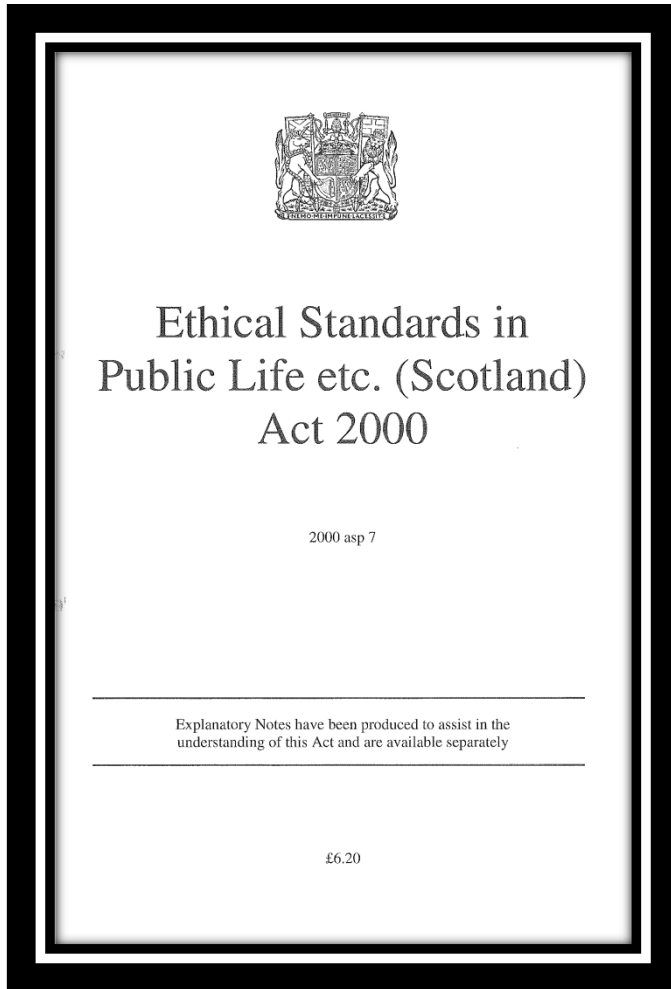
2010

- Legislation amended / Review of Councillors' Codes of Conduct

2014

- Revised Code of Conduct for National Bodies issued

Legislation



- What gives us these powers?
 - The Ethical Standards in Public Life etc. (Scotland) Act 2000
 - The Scottish Parliamentary Commissions and Commissioners etc . Act 2010

Context

Who are the Standards Commission?

- One of 2 bodies established under legislation
- Standards Commission comprises a Convener, 4 other Members and 3 staff



COMMISSIONER FOR ETHICAL STANDARDS
IN PUBLIC LIFE IN SCOTLAND

➤ **COMPLAINT HANDLING &
INVESTIGATION**



**STANDARDS
COMMISSION**
FOR SCOTLAND

➤ **ADJUDICATION & SENTENCING**

INTEGRITY IN PUBLIC LIFE

Role and Remit of SCS

What does the Standards Commission do?

- Issues Guidance on Code of Conduct
- Conducts Hearings on alleged breaches
- Education and promotion
- Considers requests for dispensations

Action of Standards Commission on receipt of report from the CESPLS:

- Direct CESPLS to carry out further investigation
- Hold a hearing
- Do neither

If Standards Commission find a contravention has occurred it may:

- Censure
- Suspension (up to 1 year)
- Disqualification (up to 5 years)

Codes of Conduct

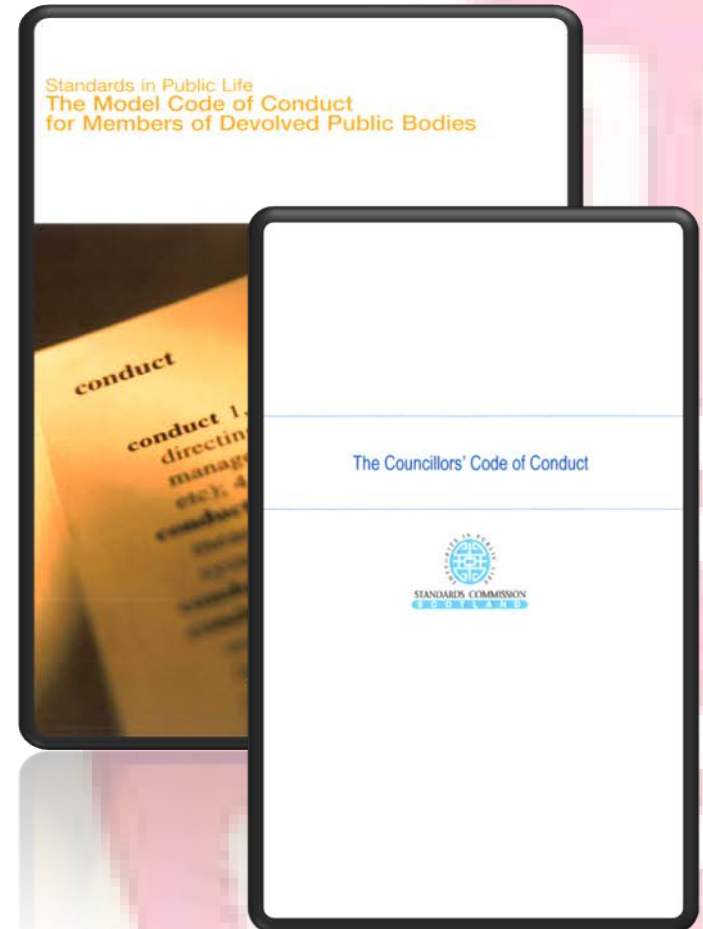
Key principles

1. Duty
2. Selflessness
3. Integrity
4. Objectivity
5. Accountability & Stewardship
6. Openness
7. Honesty
8. Leadership
9. Respect

Worth noting....

Legal requirement to comply with the Code is the individuals' personal responsibility

“You must not, at any time, advocate or encourage any action contrary to the Code of Conduct.”



Codes of Conduct

Specific provisions in relation to:

General Conduct

- Conduct at Meetings
- Relationships with other Councillors / Board Members and Employees / Officers
- Gifts & Hospitality
- Confidentiality
- Use of Council / Public Body Facilities
- Appointments to Partner Organisations

Registration of Interests

- Includes remuneration; related undertakings; contracts; houses, land and buildings; interests in shares and securities; gifts and hospitality; non-financial interests

Declaration of Interests

Lobbying & Access

Taking Decisions on Quasi Judicial and Regulatory Matters

- Councillors' Code of Conduct only

SCS's Jurisdiction

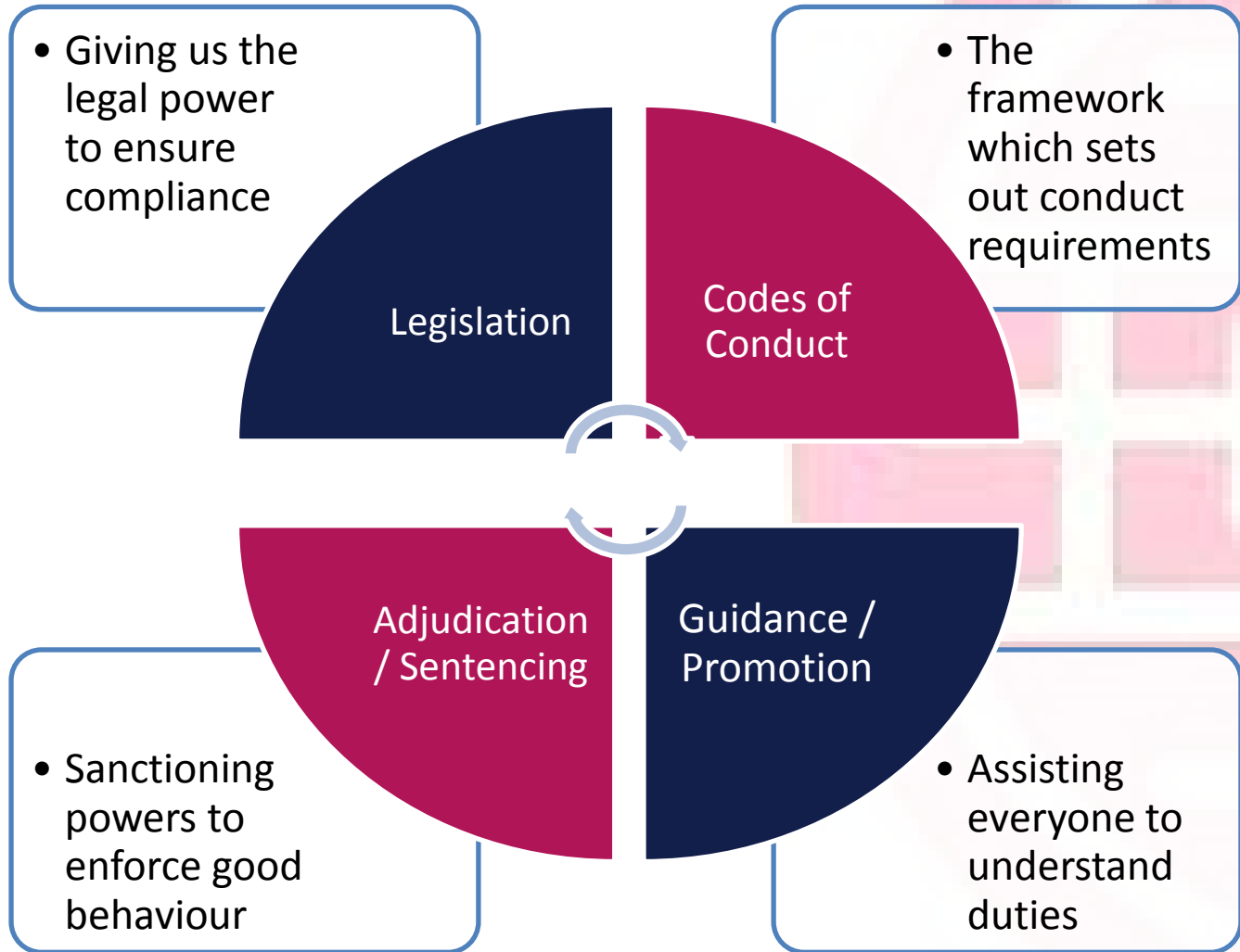
- Who is covered by these Codes?
 - 32 Local Authorities (1223 councillors)
 - 105 Devolved National Bodies (approximately 1300 individuals)
 - NHS Boards
 - National and Regulatory Bodies
 - Further Education Colleges
- Who is NOT covered by these Codes?
 - Employees of organisations
 - Standalone Commissioners and Tribunals
 - Members of the Scottish Parliament



Current Issues / Work

- Revisions to Guidance on Councillors' Code of Conduct
- New Challenges
 - Arms' Length Organisations
 - Use of Social Media
 - New bodies (Health & Social Care Integrated Joint Boards, mergers within the College Sector)
- Awareness
 - Lack of understanding in media?
 - Accessibility / understanding of complaints process
 - Conferences for Officers
 - Bespoke training events

Summary



Any Questions?

SCS Decisions are available at:

[www.standardscommissionscotland.org.uk/full list](http://www.standardscommissionscotland.org.uk/full_list)

See also Standard Commission's professional briefings

CESPLS Reports are available at:

www.publicstandardscommissioner.org.uk/decisions/

Further information can be found at:

www.ethicalstandards.org.uk

www.standardscommissionscotland.org.uk