



News in Brief

- Ms Jan Polley's tenure as a Standards Commission Member ended on 17 January 2015. The Standards Commission is very appreciative of Ms Polley's contribution and hard work. Recruitment for a new Member has now begun.
- The Standards Commission has invited all Council Monitoring Officers to a workshop on 13 March 2015 to discuss the existing Guidance on the Councillors' Code of Conduct. The aim is to use feedback and suggestions to determine whether improvements can be made to the content and format of the Guidance.
- Hearings are due to take place in March and April 2015 to review reports of alleged breaches referred by the CESPLS. Case findings will continue to be published on the Standards Commission website.

Health & Social Care Integration Joint Boards

The Standards Commission has granted dispensations under both the Councillors' Code of Conduct and the Model Code of Conduct for Devolved Public Bodies for councillors and members of Health Boards who are appointed to Health & Social Care Integration Joint Boards, which are being established under the Health & Social Care Integration Initiative & Public Bodies (Joint Working) (Scotland) Act 2014. This means they will not have to declare an interest when agenda items on general health and social care issues arise and can participate on discussions and voting on such issues.

Inaccurate Press Report

The Standards Commission has recently been the subject of an inaccurate press report in that the article was also misleading about the role of the Standards Commission. In the headline and article itself, the Standards Commission for Scotland was referred to on a number of occasions. It was suggested that the Standards Commission had investigated and 'cleared' four SNP councillors in Renfrewshire of wrongdoing, which was entirely erroneous. The Standards Commission has no investigatory function and had not considered any allegations or complaints in respect of the events described. The investigation was undertaken and the decision was made by the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS). More information on the complaint and the work of the CESPLS can be found on his website at www.ethicalstandards.org.uk.

Cases Overview

Since the last briefing in December 2014, a further three cases concerning three councillors were referred to the Standards Commission by the CESPLS. To date, the Standards Commission has decided to hold hearings in respect of two cases. These have been scheduled but not yet determined. Two cases referred before December 2014 have been determined.

Outcome of Cases

Of the two cases that were heard and determined since December 2014, both resulted in the councillors being censured.

Case Details

Details of the outcomes of cases and scheduled Hearings can be found at: http://www.standardscommissionscotland.org.uk/full_list

Learning Outcomes from Cases

1. Councillors and council officers are required to work in an atmosphere of mutual trust and respect. Councillors should avoid public criticism of officers and, while they have a duty to hold officers to account, they must ensure they do so in a courteous, professional and respectful manner.
2. It is very important for local authorities to engage with the Standards Commission to raise awareness of the Councillors' Code of Conduct and the ethical framework. The Standards Commission strongly encourages local authorities to provide training on the Code of Conduct. However, it is the personal responsibility of each and every councillor to ensure they understand the provisions of the Code of Conduct and how to interpret them.
3. In considering whether to register any non-financial interests, councillors must comply with the requirements of the Councillors' Code of Conduct and apply the objective test, which is 'whether a member of the public, with knowledge of the relevant facts would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor'. A failure to register or declare an interest may not be intentional but may still amount to a breach of the Code of Conduct.
4. Complaints may be made for a variety of reasons, including politically focused. A complainant's motives, however, are not usually relevant to the question of whether or not there has been a breach of the Code of Conduct.



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For further information on what support we can offer councillors and members of devolved public bodies, please either speak to your Monitoring Officer or Standards Officer or look out for new information on our website.

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