



News in Brief

- The Standards Commission continually strives to improve its processes, including how it conducts Hearings. If you were involved in, or attended, a Hearing in the last 12 months and would be happy to take part in a survey about the Standards Commission's management of Hearings, please contact us on 0131 348 6666 or send an email to enquiries@standardscommission.org.uk.
- The Standards Commission's Strategic Plan for 2016/2020 and its annual business plan for 2016/2017 are available on the website in the Corporate Information Section.

Revised Guidance on Councillors' Code of Conduct

The Standards Commission has issued revised Guidance on the Councillors' Code of Conduct to ensure it remains relevant and fit for purpose. The revised Guidance contains illustrations and examples of factors that councillors should consider when interpreting the Code. The Standards Commission hopes this will help councillors relate the provisions of the Code to the scenarios they face and the situations they find themselves in. However, the lists of factors to consider are only a guide and are not exhaustive. In addition, the illustrations provided are simply examples. Whether or not there has been a breach of the Code will depend on the specific circumstances of any case. Councillors have a personal responsibility to ensure their actions accord with the provisions of the Code.

The revised Guidance that has been issued incorporates the Code of Conduct. The Standards Commission also intends to publish a standalone version, which will contain the guidance notes and illustrations separately. These documents will be published on the [Education & Resources](#) page of the website and will be updated as appropriate with new cases / information. Notification of any changes will be published in future editions of the Professional Briefing.

Standards Commission's Strategic Plan for 2016/2020

Following a consultation, the Standards Commission's [Strategic Plan](#) for 2016/2020 was laid before the Scottish Parliament on 8 March 2016. The Strategic Plan outlines the Standards Commission's four main objectives. It also states the actions it intends to take and the resources it will require to achieve these. Measurements of achievement are outlined in annual business plans and performance is reported in annual reports.

Health & Social Care Integration Joint Boards

The Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003 provides that where a body, such as a Health & Social Care Integration Joint Board, has no employees the Standards Officer appointed requires to be approved by the Standards Commission. For further information on how to seek approval and the information you will be required to provide, please see the Standards Commission's website at: www.standardscommissionscotland.org.uk/about-us/news or telephone us on 0131 348 6666.

CASES

Overview

Since the last briefing in December 2015, three cases have been referred to the Standards Commission by the Commissioner for Ethical Standards in Public Life in Scotland. The Standards Commission will be holding two Hearings in respect of two councillors in May 2016. A Hearing into a breach of the Model Code of Conduct by a Member of a Devolved Public Body has also been scheduled and will take place on 12 April 2016. The Standards Commission also held three Hearings in respect of three cases concerning three councillors, which had previously been referred.

Outcome of Hearings

One Hearing was adjourned and will conclude in April. In the other two cases, the Standards Commission determined that there had been breaches of the Councillors' Code of Conduct by the councillors involved. The Standards Commission censured the councillor in one case and, in the other, suspended the councillor from all meetings of the Council and any Committees or sub committees thereof on which he is a representative for a period of two months.

Learning Outcomes from Cases

1. Councillors have a personal responsibility to ensure that they are aware of the provisions and requirements of the Code of Conduct. A breach of the Code can be found even when it is accepted the actions that led to the contravention were inadvertent or unintentional. Where a breach has been found, the Hearing Panel is required by statute to impose a sanction regardless of whether it has accepted there was no deliberate intent behind the breach.
2. The declaration of interests (including non-financial interests) is a fundamental requirement of the Councillors' Code of Conduct. A failure to declare interests removes the opportunity for openness and transparency in a councillor's role and denies any member of the public the opportunity to consider whether a councillor's interests may or may not influence the decision-making process.

Details

Details of the outcome of cases and about scheduled Hearings can be found at:

www.standardscommissionscotland.org.uk/cases/case-list



INTEGRITY IN PUBLIC LIFE

For further information on the 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.

Alternatively, please contact us at:

Room T2.21

Scottish Parliament

Edinburgh

EH99 1SP

T: 0131 348 6666

E: enquiries@standardscommission.org.uk

W: www.standardscommissionscotland.org.uk