

# MINUTES

*Meeting date: Monday 23 May 2016*

**IN ATTENDANCE**

- Ian Gordon (Convener)
- Matt Smith
- Julie Ward
- Lorna Johnston (Executive Director)
- Elaine McLean (Business Manager)

**APOLOGIES**

- Kevin Dunion
- Lindsey Gallanders

ITEM	CONTENT	ACTION
<b>STANDING ITEMS</b>		
1.	<p><b>APOLOGIES</b> Apologies for absence were received from Lindsey Gallanders, and Kevin Dunion, Members of the Standards Commission.</p> <p><b>CONFLICTS OF INTEREST</b> No declarations were made.</p>	
2.	<p><b>DRAFT MINUTE OF PREVIOUS MEETING</b> Members reviewed and, subject to one minor amendment, approved the Minute of the meeting held on 25 April 2016.</p>	
3.	<p><b>MATTERS ARISING</b></p> <p><b>Development of E-Learning Training Materials</b> Members noted the Executive Team intended to provide further information at the meeting on 27 June 2016 in relation to the level of resources, provision of management information and associated costs which may be applicable in providing an IT based learning management system.</p> <p><b>Liaison with SOLAR</b> Members noted the Executive Team would liaise with SOLAR about the possibility of attending events when collaborating with them in the production of ALEO Advice Notes.</p>	<p><b>Executive Team</b></p> <p><b>Executive Team</b></p>
<b>STRATEGIC MATTERS</b>		
4.	<p><b>Framework Agreement between the Standards Commission and the Scottish Parliamentary Corporate Body (SPCB)</b> Members reviewed the following series of documents produced by the SPCB, which covered the relationship between the SPCB and the Standards Commission.</p> <p>1 – Overview; 2 – Framework Document; 3 – Officeholders’ Finance Manual; 4 - MOU, Budgeting Process Agreement; and 5 – MOU, Access to the Contingency Fund.</p> <p>Members noted the Framework document was new, while documents 3, 4 and 5 had been updated. Subject to some minor amendments, Members approved the documents and asked the Executive Team to advise the SPCB accordingly.</p>	<p><b>Executive Team</b></p>

<b>BUSINESS MATTERS</b>		
5.	<p><b>COMMUNICATIONS:</b></p> <p><b>Hearings Survey</b> Members noted that the survey would be issued shortly to cover Hearings concluded in the first half of 2016/17.</p> <p><b>Midlothian Council Training Event</b> Members noted Mr Gordon and Mrs Gallanders were due to lead a training event for Midlothian councillors on 13 September 2016.</p> <p><b>Aberdeen City, Aberdeenshire &amp; Moray Council Training Event</b> Members noted Mr Dunion and Mr Smith had led a training event for Northeast councillors on 18 May 2016. Mr Smith reported that the event had been well attended. However, he suggested that in future, consideration should be given to changing the format of the standard presentation so that the focus was on potential scenarios instead of simply being on the requirements of the Councillors' Code of Conduct. This would enable the Standards Commission to proactively engage with elected members to discuss the factors they should consider in reviewing the scenarios, which in turn would help them to apply the provisions of the Code to situations they may face. Members agreed to discuss the format of the standard presentation at their workshop on 23 June 2016.</p> <p><b>Succession Planning Update</b> Members noted that the SPCB was due to consider the process for appointing new Members at its meeting in September 2016. Members agreed that the Executive Team should suggest to Officeholder Services that they may wish to consider appointing a Deputy Convener to ensure continuity in the event that there was any interval between the end of the current Convener's term of office and the appointment of a new Convener.</p>	<p><b>Executive Team</b></p> <p><b>Executive Team</b></p>
6.	<p><b>Annual Report 2015/16: Draft Sections 1 and 3</b> Members reviewed the draft contents of Sections 1 and 3 of the Annual Report and suggested some amendments. Members agreed these changes were to be made before the sections are finalised.</p>	<p><b>Executive Team</b></p>
7.	<p><b>Budget &amp; Expenditure Report 2015/16</b> Members reviewed and noted the Report. Members agreed to submit expense claims timeously in order to assist the Executive Team in monitoring expenditure.</p>	
8.	<p><b>Revision to Hearing Rules Process &amp; Guide 2016</b> Members agreed to revise Rule 3.9 of the Hearing Rules to reflect the fact that the Standards Commission only provides confirmation of the date, time and location of the Hearing to the parties, Chief Executive, Standards Officer / Monitoring Officer and complainant(s). The parties are responsible for notifying their witnesses of the Hearing venue, date and time. Any witnesses the Standards Commission cites will be advised of this information in the citation itself.</p> <p>Members agreed the Hearing Rules should be amended accordingly and the updated version published.</p> <p>Members noted the CESPLS had requested a further change to the Hearing Rules and agree they would consider any proposal about this at the meeting on 27 June 2016.</p>	<p><b>Executive Director</b></p>
9.	<p><b>Audit &amp; Risk Committee Report</b> Members noted the verbal report provided by the Chair of the Audit &amp; Risk Committee of the meeting that morning. Members reviewed the Audit &amp; Risk Committee's Terms of Reference and agreed the recommendation that these did not require to be amended.</p>	

<p><b>10.</b></p>	<p><b>Applications for Appointment of Standards Officers for Health &amp; Social Care Integration Joint Boards</b></p> <p>Members reviewed and approved six appointments for the role of Standards Officers in the following Integrated Joint Boards:</p> <ul style="list-style-type: none"> <li>• Archie Aitken, North Lanarkshire Health &amp; Social Care IJB</li> <li>• Iain Matheson / Norman Aitken, Fife Health &amp; Social Care IJB</li> <li>• Karen Murray, East Dunbartonshire Health &amp; Social Care Partnership Board</li> <li>• Vicky Pollock , Inverclyde Health &amp; Social Care Partnership</li> <li>• Gillian Taylor, Perth &amp; Kinross Health &amp; Social Care IJB</li> <li>• Roderick MacBeath, Aberdeen City Health &amp; Social Care Partnership</li> </ul> <p>Members asked the Executive Team to issue correspondence to the respective Chief Officers to confirm the appointments.</p>	<p><b>Executive Team</b></p>
<p><b>11.</b></p>	<p><b>Request for Dispensations from Highland Council</b></p> <p>Members reviewed an individual dispensation request submitted by Highland Council on behalf of Councillor Saxon in relation to his remunerated appointment as Vice Chair of Dounreay Stakeholders’ Group. Members initially considered the request at their meeting on 25 April 2016 and requested further information. Members noted the further information provided by Highland Council and, in particular, that the request was for a dispensation to allow Councillor Saxon to take part in debates and voting on matters relating to Dounreay, which were not regulatory or quasi-judicial in nature.</p> <p>Members appreciated that Councillor Saxon was initially appointed to the Group by Highland Council and would, therefore, have knowledge and experience of Dounreay. However, Members noted that the existing provisions in the Councillors’ Code of Conduct prevent councillors who have a financial interest in a matter (provide it is not so remote or insignificant that it could not reasonably be taken to fall within the objective test) from taking part in discussions or decisions. Members considered that the reason for the approach taken in the Code of Conduct was clear and the granting of a dispensation in the circumstances would defeat the purpose of the relevant provisions. Members determined it was not, therefore, appropriate to agree to the request.</p> <p>Members asked the Executive Director to notify Highland Council of this decision.</p>	<p><b>Executive Director</b></p>
<p><b>12.</b></p>	<p><b>Annual Review of Business Continuity Plan</b></p> <p>Members conducted their annual review of the Business Continuity Plan that had been agreed by the Standards Commission at its meeting on 26 May 2015 and submitted to the Keeper of the Registers of Scotland as part of the Records Management Plan.</p> <p>Subject to minor amendments, Members approved the Business Continuity Plan. Members asked the Executive Team to finalise the new version.</p>	<p><b>Executive Team</b></p>
<p><b>13.</b></p>	<p><b>SCS Training and Workshop Event</b></p> <p>Members noted and, subject to some additional topics being added, agreed the draft programme for the training and workshop event scheduled to take place on 23 June 2016.</p>	<p><b>Executive Director</b></p>
<p><b>CASES UPDATE</b></p>		
<p><b>14.</b></p>	<p><b>NOTES OF DECISION/CASES NOT PURSUED &amp; SECTION 14 NOTIFICATION LETTERS</b></p> <p>Members reviewed the four cases published by CESPLS on his website following completion of his investigation.</p>	

15.	<p><b>HEARING UPDATE / POST HEARING ACTIVITIES</b></p> <p><b>a) LA/D/1714:</b> Councillor Ken Guild of Dundee City Council. Members noted the Hearing was scheduled to take place on the 13 and 14 June 2016.</p> <p><b>b) LA/H/1643:</b> Councillor Roddy Balfour of Highland Council. Members noted the Hearing was held on 12 May 2016. The Hearing Panel concluded there had been a breach and censured the Respondent.</p>	
<b>AOB</b>		
16.	<p><b>2015/16 &amp; 2016/17 DIARY DATES/MEETINGS</b></p> <p>Members reviewed the schedule and planned activities.</p> <p><b>DATE OF NEXT MEETING</b></p> <p>The Standards Commission will meet on Monday, 27 June 2016.</p>	