



NEWS IN BRIEF

- Section 19 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 obliges the Standards Commission to impose a sanction if a Hearing Panel has found there has been a breach of a Code of Conduct at a Hearing. The sanctions available to the Hearing Panel are to censure, suspend or disqualify the Respondent. A Policy outlining the factors the Hearing Panel will consider when making a decision on the sanction to be imposed is available on the website on the 'Cases' page.
- Section 16 of the Act provides that when the Standards Commission receives a Report, it will decide to direct the CESPLS to carry out further investigations; hold a Hearing; or take no action. A policy outlining the factors the Standards Commission will consider when making such a decision is also available on the 'Cases' page.

Guidance for Councillors on Arm's Length External Organisations

The Standards Commission consulted with stakeholders on its draft Advice Note, which contains guidance for Councillors who are nominated or appointed to sit on arm's length external organisations (ALEOs). We are grateful for all the comments and suggestions received. The Advice Note has now been finalised and issued. It contains suggestions on how councillors can enhance their understanding of their different roles and responsibilities and how they can identify risks to governance and accountability. In addition, it provides guidance on identifying potential conflicts of interest, registering interests and making declarations of interest.

The Advice Note can be found at:

<http://www.standardscommissionscotland.org.uk/guidance/guidance-notes>

Hearings Survey

The Standards Commission is keen to ensure that Hearings are managed and conducted effectively, fairly and continually strives to improve its processes to ensure that it reflects best practice. In order to obtain views and feedback on the different processes involved in Hearings, we undertook a survey of individuals who had attended Hearings and/or have been involved in these process between 1 January 2016 and 31 July 2016. Participants were asked questions about all aspects of Hearings, including the information and contact they had with the Standards Commission before, during and after the Hearing. While a limited number of responses were received, we were pleased to note that the majority of survey participants were positive about the clarity of information and correspondence before, during and after the Hearing. The majority of survey participants were also positive about how easy it was to access information on the Hearing Panel's decision and the clarity of the decision itself. More information on the outcome of the survey can be found on our website at:

www.standardscommissionscotland.org.uk/about-us/news

We intend to continue the process of obtaining feedback from participants and those who attend Hearings after each Hearing. If you would like more information about this, please contact us.

Dispensation for Aberdeen City Region Deal

The Standards Commission granted a specific dispensation under the Councillors' Code of Conduct to the elected members, and any substitute elected members, who have been appointed by either Aberdeen City Council or Aberdeenshire Council to be members or substitute members of the City Region Deal Joint Committee. This is so elected members and substitute elected members, as voting members of the City Region Deal Joint Committee, do not have to remove themselves from the debate and any voting when discussions on the City Region Deal, its projects and funding, and/or recommendations from the City Region Deal Joint Committee come before them at relevant Council meetings. The elected members and substitute elected members can participate in discussions and voting on such matters. However, elected members and substitute elected members are still required to declare interests, in terms of Section 5 of the Code of Conduct and the dispensation does not apply to matters of a quasi-judicial or regulatory nature. The Standards Commission also granted a specific dispensation, in similar terms, for elected members and any substitute elected members who have been appointed by either Aberdeen City Council or Aberdeenshire Council to be directors or alternative directors of Opportunity North East (ONE).

The Standards Commission was pleased to note that the application submitted in relation to the dispensation request by Aberdeen City and Aberdeenshire Councils clearly outlined the purpose and composition of the bodies and fully explained why the dispensation was required. This greatly assisted the Standards Commission in reaching its decision.

If you would like more information on how to make a request for a dispensation, please contact us.

Overview

Since the last briefing in June 2016, five new cases have been referred to the Standards Commission by the Commissioner for Ethical Standards in Public Life in Scotland in respect of four councillors and one former member of a devolved public body. The Standards Commission has decided to hold Hearings in respect of all five cases, with one case being conjoined as it concerns the same individual and matter.

The Standards Commission has started, but not concluded, one Hearing in respect of a councillor from Argyll & Bute Council. This is due to conclude in October.

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:

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