

# MINUTES *Meeting date: Monday 31 July 2017*

## IN ATTENDANCE

- Kevin Dunion
- Lindsey Gallanders
- Michael McCormick
- Tricia Stewart
- Julie Ward
- Lorna Johnston (Executive Director)
- Elaine McLean (Business Manager)

ITEM	CONTENT	ACTION
<b>STANDING ITEMS</b>		
1.	<p><b>APOLOGIES</b> No apologies were received.</p> <p><b>CONFLICTS OF INTEREST:</b> No declarations of interest were made.</p>	
2.	<p><b>DRAFT MINUTE OF PREVIOUS MEETING</b> Members reviewed and, subject to a minor amendment, approved the minute of the meeting held on 26 June 2017.</p>	
3.	<p><b>MATTERS ARISING</b> Members noted that all matters arising were either complete or were due to be discussed under the main agenda.</p>	
<b>BUSINESS MATTERS</b>		
4.	<p><b>COMMUNICATIONS:</b></p> <p><b>a) Regional Roadshows</b> Members noted that the invitation had been issued to the regional roadshows which were scheduled to be held in Inverness on 5 October 2017, Ayr on 9 November 2017, Edinburgh on 20 November 2017 and Glasgow on 15 December 2017. Those attending had been asked to indicate whether there were any specific topics they wished covered so the presentations could be tailored accordingly.</p> <p><b>b) Training Videos</b> Members noted the Scottish Parliament's Broadcast Office were in the process of preparing visuals and scripts for the training videos, which were to cover:</p> <ul style="list-style-type: none"> <li>• The objective test;</li> <li>• The use of social media; and</li> <li>• Relationships with officers.</li> </ul> <p>Members noted that the idea was to involve visuals based on how conduct and behaviours can be perceived from different vantage points.</p>	
5.	<p><b>Audit &amp; Risk Committee 24 July 2017</b> Members noted the verbal report provided by Mrs Ward, the Chair of the Audit &amp; Risk Committee, and the draft minutes of the Committee meeting on 24 July 2017. Members noted the terms of the Annual Audit Report from Audit Scotland and also the Annual Assurance Statement from the Internal Auditor.</p> <p>Members further agreed the recommended changes to the Risk Register for 2017 / 2018 and were pleased to note that the risk regarding the Standards Commission's ownership of its website domain name was to be removed as the issue had been satisfactorily resolved.</p>	

	<p>Members noted that Mrs Ward's tenure as a Member would end before the next meeting of the Audit &amp; Risk Committee, which was scheduled to take place on 22 January 2018. Members thanked Mrs Ward for her stewardship of the Committee and for all her hard work in ensuring it ran effectively.</p>	
6.	<p><b>Annual Accounts 2016 / 2017</b></p> <p>Members reviewed the draft Annual Accounts for 2016 / 2017, the contents of the proposed ISA 260 Report and the terms of the draft ISA 580 letter. Members approved the Annual Accounts and confirmed that the Executive Director was to proceed to sign both the Accounts and ISA 580 letter before submitting them to Audit Scotland for their consideration and final approval.</p>	<p><b>Executive Director</b></p>
7.	<p><b>Advice Note on Application of Article 10 of the ECHR</b></p> <p>Subject to some revisals, Members agreed the content of a draft Advice Note that explained how the Standards Commission would approach its decision-making role at Hearings in respect of complaints where the issue concerns freedom of expression and the application of Article 10 of the European Convention of Human Rights (ECHR).</p> <p>Members noted that the draft Advice Note also outlined factors that councillors and members of devolved public bodies might wish to consider when balancing their right to freedom of expression with the provisions of the Codes of Conduct. Members agreed it would also be helpful to also produce an Executive Summary of the key points addressed in the draft Advice Note in order to ensure the information was disseminated in as accessible and user friendly a manner as possible.</p> <p>Members agreed that the draft Advice Note should be published on the Standards Commission's website and that copies should be sent to the CESPLS, Improvement Service and SOLAR so that comments and feedback on both its content and format could be obtained from stakeholders before it was finalised and issued.</p>	<p><b>Executive Team</b></p>
8.	<p><b>Review of Records Management Plan</b></p> <p>Members undertook a review of the Standards Commission's Records Management Plan, which had been agreed by the Keeper of the Records of Scotland on 15 September 2015. Members agreed some minor amendments and asked the Executive Team to send the revised version to the Keeper for publication on the National Records of Scotland website. Members further agreed the amended Records Management Plan should also be published on the Standards Commission's website.</p> <p>Members agreed that it would be helpful for them to receive refresher training on the Standards Commission's data protection and disposal policies and asked the Executive Team to organise a session at the next meeting.</p>	<p><b>Executive Team</b></p> <p><b>Executive Team</b></p>
9.	<p><b>Scottish Government's Consultation on Proposed Amendments to the Councillors' Code of Conduct</b></p> <p>Members noted that the Scottish Government had published the responses it had received to the consultation it launched on 12 December 2016 in respect of possible amendments to the Councillors' Code of Conduct. Members noted that the Executive Director met a representative of the Local Government and Analytical Services Division of the Scottish Government on 12 July 2017 and had understood from this discussion that it was likely that a recommendation would be made to Ministers that the specific exclusion under paragraph 5.18 of the Councillors' Code should be extended, in some form, to cover Regional Transport Partnerships. Members noted that the Scottish Government had indicated it intended to seek the Standards Commission's view on the proposed wording of any changes before they were finalised.</p>	

10.	<p><b>Revised Guidance on the Councillors' Code of Conduct</b></p> <p>Members noted the amendments to the Guidance agreed at the meeting on 31 May 2017 had been made. The Executive Team were arranging for these changes to be incorporated by the designers into the version of the Guidance which includes an embedded version of the Code. The updated Guidance, when available, would then be circulated and published. The Executive Team would also make corresponding changes to the standalone version of the Guidance, which would also be published.</p>	Executive Team
11.	<p><b>Hearing Rules 2017</b></p> <p>Members reviewed and agreed changes to the Hearing Rules 2017 to provide greater clarity, remove unnecessary provisions and also to reflect potential improvements identified at recent Hearings. Members asked the Executive Team to make the changes and then publish the updated version.</p>	Executive Team
12.	<p><b>Budget and Expenditure Report for Quarter 1 of 2017 / 2018</b></p> <p>Members noted the Report which detailed expenditure incurred during 1 April to 30 June 2017 and the projected budget from July 2017 to the year end. Members reviewed the explanatory information provided with the Report and noted that the end of year expenditure remained on target against the allocated budget.</p>	
13.	<p><b>Budget Submission 2018 / 2019</b></p> <p>Members noted the overall projected budget for 2018 / 2019 was £262,000 which represented a 1.15% increase on the 2017 / 2018 allocated budget. Members noted the difference was primarily attributable to an increase in salaries as a result of the implementation of the agreed 1% salary increase. In addition, Members noted that additional funding would be requested in support of the implementation of the General Data Protection Regulations, which were due to come into effect on 28 May 2018.</p> <p>Members agreed the budget submission along with the supporting commentary and asked the Executive Team to proceed to submit these to the SPCB for approval.</p>	Executive Team
<b>CASES UPDATE</b>		
14.	<p><b>NOTES OF DECISION/CASES NOT PURSUED &amp; SECTION 14 NOTIFICATION LETTERS</b></p> <p>Members reviewed two cases published by the CESPLS on his website following completion of his investigation.</p> <p>Members further noted that two Section 14 notification letters had been received from the CESPLS which at this stage involved one councillor in Renfrewshire and three councillors in Argyll &amp; Bute.</p>	
15.	<p><b>BREACH REPORTS AND HEARINGS UPDATE</b></p> <p><b>a) LA/E/1924:</b> Former Councillor Jim Orr of Edinburgh City Council. Members noted the Hearing had taken place on 11 July 2017. The Hearing Panel determined the Respondent had breached the Councillors' Code of Conduct and censured him.</p> <p><b>b) LA/G/1937:</b> Former Councillor William McAllister of Glasgow City Council. Members noted the Hearing had taken place on 26 July 2017. The Hearing Panel determined the Respondent had breached the Councillors' Code of Conduct and censured him.</p> <p><b>c) LA/ED/1863:</b> Former Councillor Eric Gotts of East Dunbartonshire Council. Members noted that a Hearing had been scheduled for 22 August 2017.</p>	
<b>AOB</b>		
16.	<p><b>2017/18 DIARY DATES/MEETINGS</b></p> <p>Members reviewed the schedule and planned activities.</p> <p><b>DATE OF NEXT MEETING</b></p> <p>The next meeting of the Standards Commission was scheduled for Monday, 25 September 2017.</p>	