

MINUTES *Meeting date: Monday 26 February 2018*

IN ATTENDANCE

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

ITEM	CONTENT	ACTION
STANDING ITEMS		
1.	APOLOGIES There were no apologies. DECLARATIONS OF INTEREST Agenda item 16d: Mr McCormick advised that there was a possibility that he might know or have worked with some of the individuals involved in the case. It was noted, however that, as the Hearing on the case had been held and Members were only discussing the already published decision, there was no need for him to declare an interest and leave the room.	
2.	DRAFT MINUTE OF PREVIOUS MEETING Members reviewed and approved the minute of the meeting on 29 January 2018.	
3.	MATTERS ARISING Members noted that the Business Manager was still in the process of arranging for them to have Standards Commission email addresses. Members asked the Business Manager to keep them updated on any progress in respect of this. Members noted that all remaining matters arising were either complete or were due to be discussed under the main agenda.	Business Manager
STRATEGIC MATTERS		
4.	ENGAGEMENT AND PUBLIC RELATIONS WORK Members indicated they were pleased to note that there had been a good amount of both national and local press coverage in respect of the two Hearings held in February. Members agreed that the Convener should draft an editorial leadership piece outlining his thoughts on the current ethical standards framework in Scotland, its advantages and disadvantages and on the potential opportunities for improvement. Members further agreed to take part in videos describing the work of the Standards Commission and importance of adherence to the key principles by those in public life that, once edited, would be disseminated via the website and social media.	Convener Executive Team
5.	BUSINESS PLAN 2018 / 2019 Members undertook a final review of the Business Plan for 2018/19 and approved its contents. Members agreed that an external version of the Business Plan should be published on the Standards Commission's website and that work should commence on the activities identified.	Executive Team

6.	<p>BUSINESS RISK REGISTER 2018/19</p> <p>Subject to some minor amendments, Members agreed the Risk Register for 2018/19, including the scores for each risk, both in terms of potential impact and probability. Members asked the Executive Team to make the agreed changes and to include the total risk scores in the Register. Members noted the Audit & Risk Committee would review the Risk Register and the actions taken to mitigate each risk as its meetings in May and July 2018 and January 2019. The Audit & Risk Committee would report on these reviews at the subsequent Standards Commission meetings.</p>	Executive Team
BUSINESS MATTERS		
7.	<p>COMMUNICATIONS:</p> <p>a) Recruitment of new Member</p> <p>Members noted that the Scottish Parliamentary Corporate Body (SPCB) had re-advertised the vacancy. Members noted the closing date for applications was 26 February 2018 with the sifting meeting due to take place the week commencing 12 March 2018 and interviews scheduled to take place on 26 March 2018.</p>	
	<p>b) Standards Officers' Workshop</p> <p>Members noted the final programme had been issued on 22 February 2018 and that approximately 60 delegates were expected to attend the event on 26 March 2018.</p>	
	<p>c) College Development Network</p> <p>Members noted that the Executive Director had attended a meeting with representatives from the College Development Network who had agreed to include links to the Standards Commission's Guidance and Advice Notes for Members on their Governance Hub. Members further noted that the College Development Network would consider including a training workshop on the Code of Conduct in either their Board Induction or Board Development programme. Members asked the Executive Team to keep them updated on this.</p>	Executive Team
8.	<p>SCOTTISH GOVERNMENT'S CONSULTATION ON PROPOSED AMENDMENTS TO THE COUNCILLORS' CODE OF CONDUCT</p> <p>Members noted that the Scottish Government had advised that it was content with the Standards Commission's suggested amendment to the proposed wording on the new bullying and harassment paragraph for the Councillors' Code of Conduct and that it had indicated it would undertake a full consultation on the proposal in the near future. Members further noted that the Scottish Government was considering making a similar amendment to the Code of Conduct for Members of Devolved Public Bodies.</p>	Executive Team
9.	<p>CONSULTATION ON DRAFT ADVICE NOTE FOR COUNCILLORS ON DISTINGUISHING BETWEEN STRATEGIC AND OPERATIONAL MATTERS</p> <p>Members were pleased that there had been a good response to the consultation on the draft advice note for councillors aimed at helping them distinguish between strategic and operational matters and that the issuing and publishing of such a note had been broadly welcomed by all those who had replied. Members asked the Executive Team to collate the responses and to circulate, by email, any further changes in light of these before the Advice Note was finalised.</p>	Executive Team
10.	<p>DRAFT SECTION ANNUAL REPORT 2017/18: SECTION 5</p> <p>Members reviewed and, subject to some minor amendments, approved the proposed contents of Section 5 of the Annual Report for 2017 / 2018, which summarised the issues under consideration and decisions made at Hearings in that year.</p>	Executive Team
11.	<p>BRITISH SIGN LANGUAGE PLAN UPDATE</p> <p>Members noted the Standards Commission was awaiting a proposal from the SPCB on a shared approach on the preparation and consultation of the British Sign Language Plans. Members asked the Executive Team to keep them updated on any progress made in</p>	Executive

	respect of this.	Team
12.	<p>GDPR UPDATE</p> <p>Members noted that the SPCB had developed a Memorandum of Understanding (MoU) for Officeholders on the provision of Data Protection Services under the GDPR (including the appointment of a shared Data Protection Officer). Members noted the Executive Team had reviewed the draft MoU and were content with its provisions. Members agreed that the Executive Director could sign the finalised MOU when received.</p> <p>Members further noted that the SPCB had advised that its online training on the GDPR would be available in the next two to three weeks and the Standards Commission's staff and Members would be given access to it. The Business Manager would circulate links and instructions on how to access the training once received, and would continue to provide updates on preparation for the implementation of the GDPR at Standards Commission meetings.</p>	<p>Executive Director</p> <p>Business Manager</p>
13.	<p>REQUEST FOR DISPENSATION ORKNEY AND RESEARCH INNOVATION CAMPUS LLP</p> <p>Members noted an application for a dispensation has been received from Orkney Islands Council in respect of a joint venture, Orkney Research and Innovation Campus (ORIC). Orkney Islands Council had advised that ORIC is a project which was being carried out as a joint venture between Orkney Islands Council (OIC) and Highlands and Islands Enterprise (HIE). To deliver the project, OIC and HIE had formed a Limited Liability Partnership, Orkney Research & Innovation Campus LLP, which was formally incorporated on 20 December 2017. Members noted the LLP would be governed by a Board of six, with an equal split of members between the two partners. OIC had nominated three elected members to sit as Board Members of the LLP and were seeking a dispensation for these individuals to enable them to take part in and meetings and discussions at Council on the LLP's business or operation.</p> <p>Members agreed to grant the request on the grounds that it was the type of scenario as envisaged by policymakers when the provision enabling the Standards Commission to grant dispensations included in the Councillors' Code of Conduct. Members noted that failing to grant such a dispensation would defeat the purpose of having Council nominated elected members on the Board of the LLP. Members agreed to issue a dispensation to allow the nominated elected members to take part in discussions and decision-making on the LLP (provided any such decisions were not of a regulatory or quasi-judicial nature). Members further agreed that the dispensation should not be issued in respect of the three named elected members that were currently on the LLP, but rather to any elected members nominated by OIC to sit on its Board. Members noted that OIC should be asked to advise the Standards Commission if there was any substantive change to the role and remit of the LLP.</p>	Executive Director
14.	<p>COMMITTEE ON STANDARDS IN PUBLIC LIFE (CONSULTATION)</p> <p>Members noted that the Committee on Standards in Public Life was undertaking a review of local government standards in England and had invited the Standards Commission to submit evidence on the ethical standards arrangements in Scotland for comparative purposes and to identify examples of best practice.</p> <p>Members noted the Executive Director had prepared a draft outline of a response and agreed to provide comments and suggestions on this by 9 March 2018 so that a full and substantive response could be drafted and reviewed by Members at their meeting on 30 April 2018 in time for submission before the deadline of 18 May 2018.</p>	Executive Director
CASES UPDATE		
15.	<p>NOTES OF DECISION/CASES NOT PURSUED & SECTION 14 NOTIFICATION LETTERS</p> <p>Members noted the one non-breach decision made by the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS). Members further noted that the section 14 letter from the CESPLS in respect of one other case.</p>	

<p>16.</p>	<p>BREACH REPORTS AND HEARINGS UPDATE</p> <p>a) LA/Fi/2044: Councillor Tim Brett of Fife Council. Members discussed the management and outcome of the Hearing held on 5 February 2018. Members noted the Hearing Panel had found a breach of the Councillors’ Code of Conduct and had censured the Respondent.</p> <p>b) LA/DG/1929: Former Councillor Tom McAughtrie of Dumfries & Galloway. Members discussed the management and outcome of the Hearing held on 5 February 2018. Members noted the Hearing Panel had found a breach of the Councillors’ Code of Conduct and had censured the Respondent. Members noted that the Hearing Panel had made it clear it would have considered a suspension had the Respondent still been a councillor.</p>	
<p>AOB</p>		
<p>17.</p>	<p>DIARY DATES/MEETINGS 2018 WORKPLAN Members noted the planned activities relating to the 2017/18 and 2018/19 calendars.</p> <p>DATE OF NEXT MEETING The next meeting of the Standards Commission was scheduled for Monday, 26 March 2018.</p>	<p>Business Manager</p>