



INTEGRITY IN PUBLIC LIFE

**THE STANDARDS COMMISSION
FOR SCOTLAND
STANDING ORDERS 2015**

Table of Contents

| | | |
|-----------|--|----------|
| 1. | General..... | 3 |
| 2. | Standards Commission Meetings | 3 |
| 3. | Quorum | 3 |
| 4. | Calling of Meetings | 3 |
| 5. | Conduct of Business and Voting | 4 |
| 6. | Convener | 4 |
| 7. | Circulation and Approval of Minutes | 5 |
| 8. | Governance..... | 5 |

1. General

- 1.1 The Standards Commission has made the following arrangements for the discharge of its functions. These arrangements are to be referred to as the Standing Orders.
- 1.2 These Standing Orders will be reviewed biennially by the Standards Commission and revised if appropriate.
- 1.3 All references to meetings in these standing orders relate to meetings of the Standards Commission, excluding Hearings to determine breaches of the Codes of Conduct.

2. Standards Commission Meetings

- 2.1 The Convener will chair all meetings at which he or she is present.
- 2.2 If the Convener cannot attend a meeting he or she will appoint an acting chair, failing which the members present shall elect one of their number to act.
- 2.3 The Standards Commission will normally meet ten times per year. There should not be a gap of more than four calendar months between meetings.
- 2.4 The Convener or, in particular circumstances, other members may call for a meeting of the Standards Commission at any time (see paragraph 4.4 below).

3. Quorum

- 3.1 The quorum of the Standards Commission is three members.
- 3.2 A member participating via conference call or similar means will have the same rights and responsibilities as members attending in person, includes full voting rights. His or her participation will count as attendance for the purpose of establishing whether a quorum is present. However, a member who is not physically present should not chair the meeting.
- 3.3 In the event that any meeting of the Standards Commission is inquorate for any reason it shall be open to the Standards Commission to discuss all matters on the agenda. However, all decisions to be made must be referred to the next meeting of the Standards Commission for ratification.

4. Calling of Meetings

- 4.1 Meetings of the Standards Commission will be called by the Convener or by any person acting under his/her instruction. Wherever practicable, members will be given at least seven days' notice.
- 4.2 The frequency of Standards Commission meetings will be proposed by the Convener and agreed by the Standards Commission.

- 4.3 An agenda of the meeting and relevant papers will also be sent, wherever possible, at least seven calendar days before each meeting (see below).
- 4.4 The Executive Director can arrange for a special meeting of the Board be called if a request is made in writing for that purpose and signed by three members.
- 4.5 A meeting shall be properly convened if the members agree to waive the requirement for notice.

5. Conduct of Business and Voting

- 5.1 Decision of the Standards Commission can be made unanimously or by a majority of the members present. If, following full discussion a divergence of views is evident, the Chair may decide to call for a vote to enable a clear decision to be reached. In the latter case a vote of the members may be taken orally, in writing or by a show of hands at the chair's discretion. In the event of a tied vote, the Chair will have the casting vote.
- 5.2 While staff or invited attendees may be present, only Members of the Standards Commission are eligible to vote at Standards Commission meetings.
- 5.3 The minute of the meeting shall record any decisions taken. In the absence of a statement to the effect that the decision was taken by a majority vote, it will be deemed a unanimous decision. A Member dissenting from a majority decision can ask for their dissent to be recorded in the Minutes but members will have collective responsibility for all decisions made.
- 5.4 A Member, not present at a meeting at which a decision is taken from which he or she dissents, may raise his or her concerns with the Convener. It is within the discretion of the Convener and of the Executive Director to defer the implementation of any such decision and refer the matter for further discussion as they deem appropriate.
- 5.5 A Member who wishes an item placed on the agenda for a meeting of the Standards Commission will inform the Convener who will decide whether to place the item on the agenda and at which meeting.
- 5.6 Any Member who has a personal or professional interest in a matter will declare that interest in accordance with the Standards Commission's Code of Conduct for Members at the commencement of the meeting when the matter is to be discussed and, where appropriate, the member will refrain from participating in the discussion of it and withdraw during discussion of it. The Member must accept the direction of the chair in such matters.
- 5.7 The Convener may invite non Standards Commission Members to attend any meeting or part of a meeting and to participate in any discussion.

6. Convener

- 6.1 The Convener will decide all matters of conduct, order, competency and relevancy, and his or her decision will be final.

- 6.2 The Executive Director, as Accountable Officer, may raise objections to a course of action contemplated by the Standards Commission. To do so, the Executive Director should write to the Convener outlining what the objections are and legal or statutory basis for them.

7. Circulation and Approval of Minutes

- 7.1 Wherever practical, the agenda and papers to be considered for scheduled meetings of the Standards Commission will be despatched to members to arrive at least five working days before the meeting.
- 7.2 The draft minute of the meeting will be submitted to the Chair for approval within seven calendar days of the meeting.
- 7.3 The draft minute will be placed on the agenda of the next available Commission / Committee meeting and circulated with the agenda.
- 7.4 The Standards Commission will formally approve minutes of previous meetings.

8. Governance

- 8.1 The primary role of all Members is to provide strategic direction, oversight, support, guidance, risk management and compliance to the Standards Commission and to promote commitment to its core values, policies and objectives. One of the key roles of a Member is to provide a strong 'challenge function', carefully scrutinising plans and the underlying assumptions before decisions are taken, and thereafter to monitor performance.
- 8.2 All members have a duty regarding conduct, propriety and confidentiality and must abide by the Commission's Code of Conduct and observe the key principles of public life outlined within it.
- 8.3 The Convener of the Standards Commission will meet with members regularly and appraise them annually in relation to their performance as members.

9. Committees

- 9.1 The Standards Commission may appoint Committees consisting of such numbers from among the members and for such purposes as the Standards Commission may determine.
- 9.2 The Standards Commission shall appoint the Chair of any such committee which it establishes and shall specify the quorum.
- 9.3 Any Committee shall operate within the terms of remit and delegation given to it and specified by the Standards Commission.