



**STANDARDS  
COMMISSION**  
FOR SCOTLAND

INTEGRITY IN PUBLIC LIFE

# STRATEGIC PLAN 2016 / 2020

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# 1. INTRODUCTION

- 1.1 The Standards Commission for Scotland (“the Standards Commission”) was established by Scottish Ministers on 27 January 2002 following enactment of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (“the 2000 Act”).
- 1.2 The Standards Commission comprises a Convener and four Commission Members who are appointed by the Parliamentary corporation. The Standards Commission employs three staff, led by an Executive Director.
- 1.3 The Standards Commission’s functions are provided for by the 2000 Act as amended by the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 (“the 2010 Act”). The 2000 Act created an Ethical Standards Framework whereby Councillors and Members of Devolved Public Bodies are required to comply with Codes of Conduct, which are approved by Scottish Ministers, together with Guidance issued by the Standards Commission.
- 1.4 The role of the Standards Commission is to:
  - Encourage high ethical standards in public life; including the promotion and enforcement of the Codes of Conduct and to issue guidance to councils and devolved public bodies.
  - Adjudicate on alleged breaches of the Codes of Conduct, and where a breach is found, to apply a sanction.
- 1.5 Complaints about breaches of the Codes of Conduct are investigated by the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS). Following the investigation and where the CESPLS determines that a contravention of a Code of Conduct has occurred the CESPLS will submit a Report for the consideration of the Standards Commission.
- 1.6 The Standards Commission will review the Report and determine whether to:
  - direct the CESPLS to carry out further investigations;
  - hold a hearing; or
  - do neither
- 1.7 If the decision of the Standards Commission is to hold a hearing, this process will be used to determine whether a councillor or member of a devolved public body has contravened either the Councillors’ Code or the Members’ Code. If the evidence presented to the Standards Commission’s Hearing Panel supports that a breach of the Code had occurred the Hearing Panel will then agree the level of sanction to be applied in accordance with the 2000 Act.

# 2. FOREWORD

FROM IAN A. GORDON, CONVENER OF THE STANDARDS COMMISSION

## Introduction

I am pleased to present the Standards Commission's strategic plan 2016 - 2020.

The strategic plan outlines our four high level objectives, which are largely determined by our statutory duties. It also lays out the actions we intend to take to achieve these objectives and how we will measure achievement.

The timetable for fulfilling the strategic plan is the four years to 2020 and it will be supported by detailed annual business plans. The estimated cost of delivering each objective is outlined in the plan within the resourcing section.

This strategic plan builds on our strategic plan of 2012/16 and the achievements and substantial progress the Standards Commission made during this period.

## Achievements

The Standards Commission's main successes over the past four years include:

- Engaging and consulting with key stakeholders. This identified the requirement for differing styles of guidance to reflect the needs of separate groups of end users.
- Providing support to the Scottish Government. This included supporting the drafting and development of the revised Model Code of Conduct for Members of the Boards of Devolved Public Bodies. Following a Scottish Government consultation and review of the Model Code of Conduct for Members of Devolved Public Bodies, the Standards Commission issued clear and understandable guidance to those covered by the Codes and to Councils and Devolved Public Bodies who are responsible for promoting and assisting observance of high ethical standards.
- Delivering our service within our allocated annual budgets. We have reduced our costs in real terms through efficiency savings and the application of best value principles. This has included holding public Hearings within Council premises at nil or minimal cost and also moving from the Scottish Government Estate to be homed on a nil costs basis within the Scottish Parliament building, resulting in a saving of approximately £18k per annum. In addition, we have entered into shared service agreements for provision of Finance and Accounting support; Internal Audit Services; and mail, photocopying and printing facilities.
- Reviewing of the Standards Commission's use of Roadshows. These were used to present jointly to groups of councillors from different local authority areas. Having evaluated the success of such events, the Standards Commission determined there was merit in providing specific targeted training events. This has enabled us to reach a greater number of stakeholders where the focus of the events was based on local issues which specifically affected them and their local area.
- Promoting the Ethical Standards Framework and the standards of conduct expected. This was achieved by improving our relationships with key stakeholders. This involved holding annual events with council Monitoring Officers and the Standards Officers of devolved public bodies together with regular meetings with the CESPLS, the Scottish Government and other public sector organisations in order to obtain their views and feedback, to discuss emerging issues and trends and to provide networking opportunities. In addition, we have published quarterly professional briefings, which include updates on work being undertaken by the Standards Commission and an overview of learning points from Hearings held in relation to alleged breaches of the Code of Conduct.

## 2. FOREWORD

- Developing and improving our Hearing Process and Rules. We did this by evaluating existing procedures and supporting documentation on a regular basis and acting on feedback and experience. This enabled the Standards Commission to ensure Hearings continue to be conducted in the most fair, impartial and efficient manner.
- Improving information provided to the public. We increased awareness of the role of the Standards Commission for Scotland through media engagement and the issuing of press releases after each Hearing.

### Looking forward

The Standards Commission will work with the Scottish Government and other relevant organisations to identify any specific needs that arise from changes to the bodies that fall within our jurisdiction, such as the creation of the new College Boards and the Health and Social Care Integration Joint Boards. This will include identifying any potential issues and conflicts as well as supporting the development of a new Model Code of Conduct for such bodies and the issuing of associated guidance to help ensure their members achieve the highest possible ethical standards.

We will continue to seek and act on feedback from our stakeholders in order to ensure that our guidance is relevant, accessible and fit for purpose and that our Hearings are run impartially and efficiently. We will continue to strive to ensure fairness, transparency and consistency in our decision-making.

In addition, we intend to continue our work to promote the Ethical Standards Framework by producing and issuing educational material and support for training events.

The Standards Commission will continue to seek opportunities to share services and make

efficiency savings in order to reduce costs and deliver an efficient service in accordance with best value principles.

### Other challenges and opportunities

A recent increase in the number of cases referred to the Standards Commission indicates that there may be a growing awareness of the standards of conduct to be expected from those who hold public office in Scotland. However, we consider it also demonstrates that there is still work to be done in promoting and ensuring compliance with the Codes of Conduct, both in terms of their content and spirit.

The Standards Commission aims to review the legislation that establishes and governs the Ethical Standards Framework in order to make recommendations about its continuing efficacy to the Scottish Government to ensure the highest possible standards are promoted and maintained.

I have no doubt that the next four years will be as exciting and demanding as ever. I am confident the Standards Commission has the team in place to enable it to continue to meet the challenges it faces and improve our service and contribution to the promotion of the Ethical Standards Framework. I look forward to working with stakeholders and my colleagues in implementing this strategic plan as part of my ambition to help ensure the highest standards of conduct are achieved by those appointed or elected to roles within Scottish public life.



*Ian A. Gordon OBE, QPM, LL.B (Hons)*  
Convener

# 3. CODES OF CONDUCT

3.1 The Scottish Parliament approved one Code of Conduct which is applied to every Scottish councillor. Each designated Devolved Public Body is obliged to have a Code of Conduct for their appointed Members, to reflect the functions and characteristics of the individual body. These individual Codes are approved by Scottish Ministers and adapted from a model Code approved by the Scottish Parliament.

3.2 The Codes of Conduct have a key role in setting out, openly and clearly, the standards of conduct that must be adhered to by those in public office. This is vital to reinforce and strengthen public confidence in councillors and members of the Boards of Devolved Public Bodies.

3.3 The Councillors' Code of Conduct applies to all 1223 councillors elected to the 32 Local Authority areas within Scotland.

3.4 As at 2 March 2016 individual Codes of Conduct have been made and approved for 100 Devolved Public Bodies as described within Schedule 3 of the 2000 Act. Codes of Conduct currently apply to the following categories of public bodies:

- National Bodies e.g. Scottish Legal Aid Board
- Regional Bodies e.g. Highlands and Islands Enterprise
- National Health Service Boards
- Health & Social Care Integration Joint Boards
- Further Education Colleges
- National Parks
- Regional Transport Partnerships
- Community Justice Authorities

There are approximately 1200 Board Members appointed to Devolved Public Bodies.

# 4. VISION

## The Standards Commission's vision is as follows:

**The Standards Commission is an independent body whose purpose is to encourage high ethical standards in public life through the promotion and enforcement of Codes of Conduct for Councillors and those appointed to the Boards of Devolved Public Bodies.**

- The Standards Commission's vision is to achieve the highest possible ethical standards in public life so that the public in Scotland has confidence in those elected to local councils and those appointed to the board of devolved public bodies.
- The Standards Commission will promote awareness of, and adherence to, the Codes of Conduct by providing guidance, support and training to key stakeholders and by maximising engagement opportunities with the public and media.
- The Standards Commission is independent of government, political institutions and political parties and as such is able to make impartial decisions, free from any influence, on the enforcement of the Codes of Conduct.
- The Standards Commission is aware that there are many instances of exemplary work being undertaken across Scotland and the intention is always to add value rather than duplicate existing work. This involves partnership working, seeking opportunities to share services, and influencing policy development and implementation at national and local level.
- The Standards Commission will provide value for money by continually seeking to improve policies and procedures, maintain efficiency and reduce costs.

The Standards Commission will contribute directly to achieving four of the Scottish Government's

National Outcomes, as outlined in the National Performance Framework. The Standards Commission's contribution is outlined below.

### National Outcome 1:

**“We live in a Scotland that is the most attractive place for doing business in Europe.”**

The Standards Commission's role to improving and maintain ethical standards in public life will help promote business confidence in Scotland as being a nation where decisions made in the public sector, that affect businesses, are made objectively, honestly and in the public interest.

### National Outcome 11:

**“We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.”**

The Standards Commission's work in ensuring compliance with the Codes of Conduct encourages councillors and members of devolved public bodies to take responsibility for their own actions. By reaching decisions on alleged breaches of the Codes of Conduct independently, impartially and by making our service accessible to all, the Standards Commission will enable appropriate challenges to be made when a breach is identified.

### National Outcome 13:

**“We take pride in a strong, fair and inclusive national identity.”**

The Standards Commission's work contributes to raise confidence in those who are elected or appointed to serve within the public sector environment, which in turn promotes pride in the national identity.

### National Outcome 15:

**“Our public services are high quality, continually improving, efficient and responsive to local people's needs.”**

The Standards Commission will continue to strive for improvements to services to ensure we support best value principles.

# 5. STRATEGIC OBJECTIVES 2016 - 2020

The Standards Commission's strategic objectives are as follows:

## 1. To provide guidance and support to assist councillors and members of devolved public bodies to act in accordance with the Codes of Conduct

*Actions to achieve this objective will be:*

- a. Producing, issuing and promoting relevant, accessible and comprehensive guidance and educational materials for councillors and members of devolved public bodies.
- b. Providing training and advice to councillors and members of devolved public bodies on the Codes of Conduct and the standards expected of them.
- c. Supporting induction and training programmes to help councils and public bodies promote awareness and understanding of the Codes of Conduct among their councillors and members.
- d. Engaging and consulting with councils, devolved public bodies, the CESPLS and other stakeholders to identify trends and emerging issues to ensure guidance and training materials continue to be fit for purpose.
- e. Ensuring adjudication decisions taken by the Standards Commission are well-reasoned and consistent.

**Measurements of achievement are outlined in annual business plans and performance is reported in annual reports.**

**Outcomes under this objective will include:**

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Development of the Education and Resources facility on the Standards Commission's website to provide access to regularly updated guidance, education, induction and training development materials.

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Provision of accurate advice to councillors and members of devolved public bodies within the timescales set out in the Standards Commission's Service Charter.

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Provision of tailored training events to councillors and members of devolved public bodies, which cover current and organisational specific issues.

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Continuation of work with Monitoring Officers and Standards Officers to assist them in providing help and advice to councillors and members of devolved public bodies on the Codes of Conduct and the standards expected of them. This includes organisation of annual workshops to identify emerging and developing issues and to discuss how to address these matters and concerns.

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Analysis of trends from the complaints submitted to the CESPLS and review of the outcomes from completed investigations to determine whether to update or to reinforce guidance or advice provided by the Standards Commission.

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Publication of professional briefings to include updates on work being undertaken by the Standards Commission and an overview of learning points from Hearings.

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Analysis of written Hearings decisions to ensure all are well-reasoned and consistent.

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# 5. STRATEGIC OBJECTIVES 2016 - 2020

## 2. To promote the Ethical Standards Framework and recognition and understanding of the Standards Commission's role among the public and stakeholders

### *Actions to achieve this objective will be:*

- a. Promoting of the role of the Codes of Conduct in public life, including proactively engaging with the media about the role of the Standards Commission.
- b. Providing advice on the interpretation of the Codes to members of the public and stakeholders, including officers of councils and staff of devolved public bodies.
- c. Engaging with, and providing support, to the Scottish Government, Scottish Ministers and the Parliament on matters relating to the Ethical Standards Framework.
- d. Actively participating in any consultation which impacts on the Ethical Standards Framework and standards in public life.
- e. Publishing the Standards Commission's decisions and issuing press releases about the outcomes of Hearings.

**Measurements of achievement are outlined in annual business plans and performance is reported in annual reports.**

### **Outcomes under this objective will include:**

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Issue press releases following all Hearings and continue to proactively engage with the media about the role of the Standards Commission to ensure accurate information is conveyed timeously.

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Provision of advice to stakeholders including members of the public, council officers and employees of devolved public bodies within the timescales set out in the Standards Commission's Service Charter.

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Regular meetings with stakeholders including Scottish Government, SOLAR, SOLACE, the CESPLS and Audit Scotland on all matters concerning the Ethical Standards Framework.

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Proactive management in respect of changes to organisations within the Standards Commission's jurisdiction by undertaking research and evaluation; issuing dispensations; updating guidance and education resources; and, if appropriate, recommending changes to the Codes of Conduct.

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Provision of responses to any consultation that impacts on the Ethical Standards Framework and standards in public life.

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Undertake consultations and share responses on issues that impact the Ethical Standards Framework, including any proposals to change the Guidance to the Codes of Conduct.

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Publication of details of Hearings scheduled to be held, and decisions made, on the Standards Commission's website and in the Annual Report.

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# 5. STRATEGIC OBJECTIVES 2016 - 2020

## 3. To enforce the Codes of Conduct in a fair, impartial and efficient manner

### *Actions to achieve this objective will be:*

- a. Acting in accordance with governing legislation and the Standard Commission's Hearing Process Guide and Rules.
- b. Undertaking the statutory adjudication role in relation to alleged breaches of the Codes of Conduct.
- c. Making consistent, fair, impartial and transparent decisions in relation to whether to hold Hearings, whether a breach of the Codes of Conduct is established and, if so, the sanction to be applied.
- d. Obtaining feedback and undertaking regular reviews of the Hearings Process Guide and Rules to ensure Hearings are run efficiently and are transparent, accessible and fair.
- e. Sharing learning, experience and knowledge gained from enforcement activities to positively influence future behaviours and conduct.

**Measurements of achievement are outlined in annual business plans and performance is reported in annual reports.**

### **Outcomes under this objective will include:**

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All actions taken in accordance with process and timescale detailed within the Hearing Rules and Process Guide.

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Timeous publication of Hearing Panel decisions on Standards Commission's website following the conclusion of Hearings.

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Review of decisions made and sanctions imposed to check for consistency, objectivity, fairness and transparency.

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Conduct post Hearing analysis to achieve consistency in how decisions are made; to capture learning points; and consider effectiveness of Hearing Process Guide and Rules.

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Handle all correspondence including feedback and complaints about the service provided in accordance with timescales and procedures detailed within the Standards Commission's Service Charter; learn from stakeholder feedback and the outcome of any complaints.

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Regular review of the Hearing Process Guide and Rules and standard template correspondence to ensure they continue to remain fit for purpose.

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Publication of learning points from Hearings in professional briefings, guidance and training materials.

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# 5. STRATEGIC OBJECTIVES 2016 - 2020

## 4. To operate in accordance with the principles of good governance and best value

### *Actions to achieve this objective will be:*

- a. Collective leadership by the Standards Commission in the promotion of ethical standards in Scotland.
- b. Committing to fulfil equalities obligations and duties and also to act in accordance with the Nine Principles of Public Life in Scotland.
- c. Developing the skills and competencies of Members and staff of the Standards Commission through a programme of continuous professional development, knowledge management and shared learning.
- d. Adopting good practice and governance in the oversight of the Standards Commission's finances and other resources.
- e. Identifying and taking forward opportunities to work jointly or in partnership with other public bodies in order to ensure the efficient delivery of the Standards Commission's role, to eliminate duplication and to obtain best value in terms of shared services.
- f. Making good use of resources and striving for operational efficiency and continuous improvement.

**Measurements of achievement are outlined in annual business plans and performance is reported in annual reports.**

### **Outcomes under this objective will include:**

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Conduct annual appraisals of Members of the Standards Commission and annual assessments of the Standards Commission's contribution to the Principles of Public Life in Scotland and its commitment to the Equality Duty principles.

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Identify and implement actions and recommendations from internal and external audit reports.

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Publication of an Annual Report identifying how the Standards Commission delivered best value in the preceding year and what steps it has taken to secure continuous improvement.

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Develop and undertake a programme to monitor, review and update corporate policies and procedures to support planning and delivery of the Standards Commission's services, in order to achieve best practice.

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Provide training opportunities and learning experiences to ensure continuous professional development for Members and staff.

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Work with the Scottish Parliamentary Corporate Body to ensure uniformity of standards and best practice in relation to Human Resources, Finance and Procurement.

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Be open and transparent in operations and decision-making, communicate and publish information proactively in ways that meet principles and requirements of legal and regulatory requirements.

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Manage records and information in ways that demonstrate best practice and to ensure the legislative requirements are met.

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# 6. RESOURCING

STRATEGIC OBJECTIVE	2016/17	2017/18	2018/19	2019/20
To promote the Ethical Standards Framework and so encourage recognition of and respect for the Codes of Conduct by the public and other stakeholders	25% £60,000	25% £62,000	25% £63,000	25% £65,000
To assist councils and public bodies to achieve the highest ethical standards of conduct and ensure the guidance and support provided by the Standards Commission responds to their needs	35% £84,000	35% £86,000	35% £89,000	35% £90,000
To enforce the Codes of Conduct impartially, timeously and in accordance with legislation	25% £60,000	25% £62,000	25% £63,000	25% £65,000
To operate in accordance with the principles of good governance, best value, joint working and working in Partnership and to secure continuous improvement	15% £36,000	15% £37,000	15% £38,000	15% £39,000
	<b>£240,000</b>	<b>£247,000</b>	<b>£253,000</b>	<b>£259,000</b>

6.2 The number of complaints made to the CESPLS and the consequent number of cases referred by the CESPLS are outwith the control of the Standards Commission. This means that there will always be a difficulty in accurately forecasting the number of Hearings the Standards Commission will hold during each operational year and the resulting expenditure required to enforce the Codes of Conduct.

6.3 The estimated costs are based on a number of planning assumptions:

- There will be no changes made to the legislation framework;
- The number of Commission Members remains the same (a Convener and four Members);
- The average number of Hearings held per annum will remain constant;

- There will be no increase to the Convener and Members' remuneration;
- The number of employees in post will remain the same;
- Staff salaries will continue to align with the Scottish Parliament's corporate body grading and pay scale structure;
- Public sector salaries will remain frozen;
- There will be no increase in the rates paid for employer National Insurance and pension contributions during the period;
- There will be incremental and cost of living pay increases.

6.3 Should any of these assumptions need to be revisited, adjustments may be required to the estimated costs.

# 7. STRUCTURE

7.1 The following chart illustrates the structure of the organisation:





INTEGRITY IN PUBLIC LIFE

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