

MINUTES

Meeting date: Monday 30 April 2018

IN ATTENDANCE

- Kevin Dunion (Convener)
- Lindsey Gallanders
- Michael McCormick
- Tricia Stewart
- Elaine McLean (Business Manager)
- Julie Scott (Administration Assistant)

ITEM	CONTENT	ACTION
STANDING ITEMS		
1.	<p>The Convener welcomed Julie Scott to the Standards Commission.</p> <p>APOLOGIES An apology was received from Lorna Johnston, Executive Director.</p> <p>DECLARATIONS OF INTEREST No declarations of interest were made.</p>	
2.	<p>DRAFT MINUTE OF PREVIOUS MEETING Subject to the amendment of a typographical error, Members reviewed and approved the minute of the meeting on 26 March 2018.</p>	
3.	<p>MATTERS ARISING Members noted that all remaining matters arising were either complete or were due to be discussed under the main agenda.</p>	
STRATEGIC MATTERS		
4.	<p>ENGAGEMENT AND PUBLIC RELATIONS WORK Members discussed the content of the scripts for the videos to be shot on the Standards Commission's role and remit, how to make a complaint and the key principles and agreed to further review their drafts to ensure key messages were delivered in an appropriate manner. Members asked the Executive Team to identify a potential date and venue for the video filming, once they had done so.</p>	Executive Team
BUSINESS MATTERS		
5.	<p>COMMUNICATIONS:</p> <p>a) Recruitment of new Member Members noted that, on 26 April 2018, the Scottish Parliament had approved the individual nominated by the Scottish Parliamentary Corporate Body. Members asked the Executive Director to proceed to make the arrangements to implement the previously agreed induction plan.</p>	Executive Director
	<p>b) Health & Social Care Integration Joint Boards Workshop Members noted that the Health & Social Care Integration Joint Boards (IJBs) workshop had been scheduled to take place on 24 September 2018 and a save the date email had been issued. Members noted that all IJB board members, including the IJB Chairs would be invited, but a particular effort should be made to encourage IJB Chairs to attend, along with IJB Standards Officers and representatives from Audit Scotland and the Scottish Government.</p>	Executive Team

	<p>Members noted that a draft programme would be circulated for their approval nearer the time. Members identified some topics for inclusion, which including dealing with conflicts of interests, financial constraints and pressures, and collegiate responsibility. Members agreed to send any further topic suggestions for the programme to the Executive Director.</p> <p>c) Members' email addresses</p> <p>Members noted the verbal update provided by the Business Manager in respect of the arrangements being made to provide them with Standards Commission email accounts.</p>	
6.	<p>HUMAN RESOURCES COMMITTEE</p> <p>The HRC Chair provided a verbal report of matters reviewed during the meeting, which included that the Human Resources Committee:</p> <ul style="list-style-type: none"> • Reviewed its Terms of Reference and agreed that they continued to be fit for purpose. • Had requested that in future a strategic staff and member development and training report be provided at each meeting. • Reviewed the staff absence report and was pleased to note a significant improvement in attendance levels. 	
7.	<p>COMMITTEE ON STANDARDS IN PUBLIC LIFE (CONSULTATION)</p> <p>Members reviewed and, subject to some amendments being made, agreed the draft response to the consultation prepared by the Executive Director. Members asked the Executive Director to make the changes identified and proceed to issue the response before the deadline of 18 May 2018.</p> <p>Members further agreed that as the preparation of the response had provided an opportunity for the Standards Commission to undertake a review of the ethical standards framework in Scotland and to identify what it considered worked well and less well in the existing system, it should be published on the website when finalised. Members further agreed that as the document provided useful background information, it should be included in the new Member Induction Pack.</p>	<p>Executive Team</p> <p>Executive Team</p>
8.	<p>DRAFT SECTION ANNUAL REPORT 2017/18: SECTIONS 1, 2 (part 2) and 6</p> <p>Members reviewed and, subject to some minor amendments, noted and approved the proposed contents of Sections 1, 2 (part 2) and 6 of the Annual Report for 2017/2018; being the Executive Summary, the flowchart on the complaint and Hearings processes, and the governance and financial performance summary, respectively.</p>	<p>Executive Team</p>
9.	<p>CONSULTATION ON DRAFT ADVICE NOTE FOR COUNCILLORS ON DISTINGUISHING BETWEEN STRATEGIC AND OPERATIONAL MATTERS</p> <p>Members reviewed and agreed the further suggested changes to the draft Advice Note that had been made in light of the comments received from Audit Scotland and SOLAR.</p> <p>Members noted that a number of those responding to the consultation had suggested that as the Hearing examples provided at Annex A of the Advice Note were limited (due to the lack of relevant cases), it would be helpful to also include hypothetical examples in a further annex. Members further noted that the Executive Director had advised SOLAR that the Standards Commission would be happy to consider this option, if they provided examples of the types of day to day issues / typical situations that arise. SOLAR have agreed to ask their Members to do so but no examples had been received to date.</p> <p>Members agreed that once the amendments identified had been made, the Advice Note should be finalised, circulated and published but that it should be made clear to recipients that the Standards Commission remains open to creating a further annex to include hypothetical examples if any were received</p>	<p>Executive Team</p>
10.	<p>AMENDMENTS TO THE COUNCILLORS' CODE OF CONDUCT</p> <p>Members noted that the Scottish Government had advised that Ministers laid an amended version of the Councillors' Code of Conduct before the Parliament on 5 April 2018, for</p>	

	<p>approval. The substantive changes were the ones previously discussed with the Standards Commission; namely the addition of an explicit reference to bullying and harassment as being unacceptable behaviour in terms of the Code, and to amend the provisions on declarations of interest in relation to councillors who are also members of Regional Transport Partnerships.</p> <p>Members noted that if the Parliament approved the proposed changes, the Scottish Government would proceed to formally issue the amended Code.</p> <p>Members agreed that, subject to minor amendments that the draft Advice Note for Councillors' on Bullying and Harassment should then be issued, with a reference to it being inserted into the Guidance to the Councillors' Code.</p>	Executive Team
11.	<p>BRITISH SIGN LANGUAGE PLAN UPDATE</p> <p>Members confirmed they were content with proposed wording on the Standards Commission's plan to be included in the draft BSL Plan produced by the SPCB as part of the proposed shared approach to the development of a BSL Plan for all the organisations under its Officeholder Services remit. Members asked that the wording be submitted to the SPCB for inclusion in the overall Plan.</p> <p>Members noted that the Standards Commission would be taking part in a networking event on 18 and 19 May 2018 for BSL users that had been organised by the Scottish Parliament to help shape its BSL Plan. Members noted that the purpose of the event was to raise awareness about the role of the Parliament and the roles of the Officeholders; and to provide an opportunity to find out about BSL users' needs/requirements so that these could be incorporate into BSL Plans.</p> <p>Members further noted that the Executive Director had attended a BSL Roadshow for Public Bodies (Edinburgh) on 20 April 2018.</p>	Executive Team
12.	<p>GDPR UPDATE</p> <p>Members noted the SPCB had prepared a draft Memorandum of Understanding (MoU) for consideration and agreement by the Standards Commission for the provision for Data Protection support services under the GDPR by a nominated Data Protection Officer. Members noted the Executive Team was now awaiting the updated version of the draft MOU which would be considered by the Convener before final agreement.</p> <p>Members confirmed they had all received access details for the SPCB's online training material about the GDPR.</p>	Executive Team
13.	<p>2017/18 END OF YEAR EXPENDITURE AGAINST BUDGET REPORT</p> <p>Members noted the Report, which detailed the overall expenditure against budget during the period from 1 January to 31 March 2018. Members reviewed the explanatory information provided with the Report and noted that despite £10,000 of the Standards Commission's allocated funding for 2017/2018 having already been surrendered early in the year, it was noted there was a further underspend against the revised budget. Members noted this was, however, largely the result of a reduction in staffing salary and costs after the departure of Member at the end of their tenure in January 2018 without a replacement being approved by Parliament before the end of the financial year and the resignation and departure of the Administrative Assistant in February 2018 (with her replacement commencing in the post on 23 April 2018).</p>	
CASES UPDATE		
14.	<p>NOTES OF DECISION/CASES NOT PURSUED & SECTION 14 NOTIFICATION LETTERS</p> <p>Members noted that, since the last meeting, a Section 14 letter had been received in respect of a draft report issued by the CESPLS to an elected member of Comhairle nan Eilean Siar. The final report had also now been received and was considered by Members under item 15a below.</p>	

15.	<p>BREACH REPORTS AND HEARINGS UPDATE</p> <p>a) LA/CES/2091: Councillor Finlay Cunningham of Comhairle nan Eilean Siar. Members noted that while Councillor Cunningham indicated that he accepted the CESPLS's report, the registration of certain interests was a fundamental requirement of the Councillors' Code of Conduct. As such, Members agreed it was proportionate and in the public interest to hold a Hearing.</p> <p>b) LA/Fi/2050: Councillor David MacDiarmid of Fife Council. Members noted that a Hearing had been held on 25 April 2018. Members noted the Respondent had been found to have breached the Councillors' Code and had been suspended for a period of 2 months, with effect from 1 May 2018, from the Regulation and Licensing Committee of Fife Council.</p>	
AOB		
16.	<p>NHS BOARD SECRETARIES GROUP</p> <p>Members noted the request from the NHS Board Secretaries Group for the Standards Commission to attend their next meeting on Friday, 29 June 2018 at the NHS Scotland premises located in the Edinburgh, in order to discuss the work of the Standards Commission and the issues covered at the Standards Officers' Workshop on 26 March 2018 as they considered these were relevant to their governance roles within their Boards. Members agreed the Executive Director should represent the Standards Commission at the event.</p> <p>DIARY DATES/MEETINGS - 2018 WORKPLAN</p> <p>Members noted the planned activities detailed in the 2018/19 calendar.</p> <p>DATE OF NEXT MEETING</p> <p>The next meeting of the Standards Commission was scheduled for Monday, 29 May 2018.</p>	Executive Director