

MINUTES

Meeting date: Monday 25 June 2018

IN ATTENDANCE

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

ITEM	CONTENT	ACTION
STANDING ITEMS		
1.	<p>APOLOGIES There were no apologies.</p> <p>DECLARATIONS OF INTEREST No declarations of interest were made.</p>	
2.	<p>DRAFT MINUTE OF PREVIOUS MEETING Members reviewed and approved the minutes of the meeting on 29 May 2018.</p>	
3.	<p>MATTERS ARISING Members noted that all matters arising were either complete or were due to be discussed under the main agenda.</p>	
STRATEGIC MATTERS		
4.	<p>OUTREACH AND HORIZON SCANNING Members noted that it had been arranged that Mr Dunion would be a speaker at a Mackay Hannah organised conference on regulators, scrutiny and accountability in Scotland, which was due to take place on 4 September 2018. Members agreed this would be a useful platform to help publicise the Standards Commission's overarching agenda of promoting high ethical standards and, in particular, a culture of respect and integrity.</p> <p>Members agreed that the Executive Director should arrange a meeting between Mr Dunion and the public relations company engaged by the Standards Commission to discuss other opportunities for, and the best ways of, promoting the Standards Commission's agenda. Members agreed that it was important that the Standards Commission took advantage of the current public debate in relation to standards of behaviour in public life (for example, the focus on inappropriate sexual behaviour and misogyny) to seek to influence direction towards higher ethical standards of conduct in public life. Members further agreed that it would be useful to try to gain media coverage in respect of the Standards Commission's Annual Report for 2017/18 as it contained discussions about, and information on, the work the organisation had undertaken and intended to undertake in order progress an agenda of continuous improvement and ensure public confidence in public bodies, local government and those elected or nominated to serve on these was maintained.</p> <p>Members discussed the impact of the provisions concerning the registering and declaring of interests in the Councillors' Code of Conduct on decision-making, particularly in respect</p>	<p>Executive Director</p>

	<p>of decisions of a quasi-judicial or regulatory nature. Members noted that the Scottish Government had indicated it was considering undertaking a full review of the Code in 2019/20 and would be seeking views on the existing requirements and how they could be improved in due course. Members agreed that it would be helpful for the Standards Commission to benchmark the existing provisions against those in other jurisdictions in order to help inform its debate and any future contribution it wished to make to the consultation.</p> <p>Members noted that it would also be interesting to find out about any arrangements to encourage high standards of conduct in public life in other jurisdictions in general, including any that the Committee on Standards in Public Life in England intended to put in place following its recent consultation, in order to compare these with the existing ethical standards framework in place in Scotland and, thereafter, identify potential areas for improvement. Members asked the Executive Director to undertake such research and report back at the meeting scheduled to take place on 5 November 2018.</p>	Executive Director
BUSINESS MATTERS		
5.	<p>COMMUNICATIONS:</p> <p>a) Members' Email Addresses</p> <p>Members noted that the Business Manager had arranged for the Parliament's Business and Information Technology Team to provide access to individual Standards Commission's emails accounts after the meeting.</p>	
6.	<p>PROGRAMME FOR THE HEALTH AND SOCIAL CARE INTEGRATION JOINT BOARD MEMBERS' TRAINING WORKSHOP</p> <p>Members agreed that as the majority of those attending the Health & Social Care Integration Joint Boards (IJBs) training event scheduled to take place on 24 September 2018 were members of IJBs, the focus of the programme should be on providing training on the provisions in the IJB Members' Codes of Conduct. Members agreed that there should be four workshops covering the following topics:</p> <ul style="list-style-type: none"> • Respect and collective responsibility; • Registering & declaring interests and dealing with conflicts of interest; • Appointments to different organisations and how to balance responsibilities to all; and • Gifts & hospitality, social media, confidentiality and lobbying & access. <p>Members agreed that attendees should be invited to participate in two of the workshops. Members would lead the workshops with one member providing training on the topic and inviting a discussion on attendees' experiences and any potential issues that arose or might arise in respect of the provisions. The other member would then provide feedback on the topics discussed and any questions raised at a plenary session afterwards. Members asked the Executive Director to prepare and circulate a few slides on each topic.</p> <p>Members noted that some attendees may not be fully aware of the ethical standards framework and agreed that it would be useful, therefore, for Mr Dunion to include information on the role and remit of the Standards Commission, how to make a complaint, and how cases were investigated and determined in his opening remarks.</p>	Executive Director
7.	<p>STANDARD TRAINING PRESENTATION ON COUNCILLORS' CODE OF CONDUCT</p> <p>Members agreed that the two regional training events on the Councillors' Code of Conduct should take place in Perth and Motherwell, with one being held at the end of November 2018 and the other at the start of February 2019. Members asked the Executive Team to contact Perth & Kinross and North Lanarkshire Councils to identify potential dates for the events.</p> <p>Members discussed the structure and content of the standard training presentation. Members noted that it was not possible to discuss all aspects of the Code in depth at a two</p>	Executive Team

	<p>hour event and agreed that, as such, the focus of the training should be on the specific parts of the Code that were more difficult to interpret and / or were most frequently contravened; namely the sections on respect, declaring interests and the impact of these in terms of making quasi-judicial or regulatory decisions and lobbying & access. Members agreed to retain case studies and illustrations in the standard presentation in order to make the session as interactive as possible and to encourage participation from attendees. Members asked the Executive Director to amend the standard training presentation accordingly and to circulate it for approval.</p> <p>Members agreed that they would benefit from a refresher session on the topics identified and, in particular, on declaring interests and the specific exclusions in the Code, in order to assist them in delivering the training. Members asked the Executive Team to prepare refresher training and to arrange for this to be delivered at some point in August.</p>	<p>Executive Director</p> <p>Executive Team</p>
8.	<p>RESEARCH ON IMPACT AND AWARENESS OF ETHICAL STANDARDS FRAMEWORK IN RELATION TO MEMBERS OF DEVOLVED PUBLIC BODIES</p> <p>Members noted that anecdotal evidence and press reports suggested potential breaches of the Model Code of Conduct by members of devolved public bodies. These had not, however, resulted in complaints being made to the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS) and / or referrals to the Standards Commission.</p> <p>Members agreed that an anonymised survey of existing members of devolved public bodies should be undertaken to help identify whether there were any issues in respect of compliance with the Model Conduct of Conduct and, if so, what these were and why they were not resulting in complaints being made. Members agreed that any information gathered could then be analysed to inform any future training events run by the Standards Commission and /or identify the need for any further educational material or guidance.</p> <p>Members agreed that the Executive Director should draft a number of questions to be included in a short survey, for review at the next meeting. The questions should be formulated in a way that would invite members of devolved public bodies to share their own experiences. Members agreed that once the questions were finalised, the Executive Team should write to the Chief Executives of all devolved public bodies to ask them to circulate a link to the survey and to encourage all their members to complete it.</p>	<p>Executive Director</p>
9.	<p>AMENDMENTS TO THE COUNCILLORS' CODE OF CONDUCT</p> <p>Members were advised that the Scottish Parliament had agreed to the proposed changes to the Councillors' Code of Conduct on 23 May 2018. Members noted that the Executive Director had meet representatives from the Scottish Government's Local Government and Analytical Services Division on 30 May 2018 to discuss the best way to disseminate and promote the amended Code to Councils, elected members and the public. Members noted that the Advice Note drafted by the Standards Commission on the new bullying and harassment provision in the Code would be issued and publicised at the same time.</p>	<p>Executive Director</p>
10.	<p>REVIEW OF BUSINESS PLAN 2018/19</p> <p>Members reviewed the report on progress made in quarter one against the 2018/19 Business Plan. Members were pleased that no significant slippage had been recorded in respect of previously identified activities.</p>	
11.	<p>STANDARDS COMMISSION MEETING SCHEDULE</p> <p>Members reviewed the meeting schedule and agreed that 10 meetings per year were sufficient to enable them to undertake their scrutiny and strategic decision-making roles. Members further agreed that they could hold development or training sessions in either of the months they did not normally meet, as appropriate.</p>	

