



INTEGRITY IN PUBLIC LIFE

## **BUSINESS PLAN**

**2021 / 2022**

## Strategic Aim 1: 'IMPACT'

We will have a positive impact on ethical standards in public life.

Actions (Taken from Strategic Plan)	Activities 2021/22	Measurement / Target
<p><b>1.</b> Making a proactive contribution to any initiatives to review and improve the legislative framework, processes and structures in place to support high standards of conduct in public life.</p>	<p>Host round table meeting with other public bodies to discuss ways of promoting integrity and of improving the public perception of the conduct of those in public life.</p> <p>Assist Committee on Standards in Public Life to implement and promote any initiatives or changes arising from its landscape review of the UK's institutions, processes and structures in place to support high standards of conduct.</p> <p>Produce an Advice Note for Councillors on Gifts and Hospitality, in conjunction with Police Scotland and the Scottish Government.</p>	<p>Hold initial discussions with Accounts Commission at meeting in Q1 about best way to organise and promote event, with view to holding it in Q4.</p> <p>Review responses to consultation that closed at end of January 2021 and any proposed actions / recommendations arising from it in Q1.</p> <p>Advice Note to be produced and published when the Scottish Parliament approves changes to the gifts and hospitality provisions in the Councillors' Code.</p>
<p><b>2.</b> Taking all opportunities to be a strong and consistent voice for the importance of the ethical standards framework and compliance with the Codes of Conduct.</p>	<p>Work with public relations company to identify the most appropriate method, timing and audience (i.e. specific media outlets, other public bodies or politicians) for communicating messages about the ethical standards framework and Codes of Conduct.</p> <p>Include information / articles on current issues arising in respect of the ethical standards framework and how provisions in the Code have been interpreted at Hearings or in appeal decisions in Standards Updates or via standalone communications.</p>	<p>Agree contract with public relations company and hold regular meetings, keep them advised of key work being undertaken.</p> <p>Publish and disseminate a Standards Update at the end of each quarter.</p> <p>Publish a monthly blog on the website on any topical and pertinent news stories.</p> <p>Publish and disseminate standalone news items in respect of any high-profile or potentially controversial issues, Hearings and appeal decisions.</p> <p>Advise local and, if appropriate national, media of Hearings to be held. Liaise with any media in attendance at Hearings. Issue and publish on website media releases in advance, and press releases after, each Hearing. Publish information about Hearings to be held on website and social media platforms. Publish decision and press releases on website within five days, and full written decision within 20 working days, of conclusion of a Hearing and promote these on social media.</p>

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	<p>Publish and disseminate standalone news items in respect of any high-profile or potentially controversial Hearings and any appeal decisions.</p> <p>Promote Hearings to be held and Hearings decisions in media, on website and on social media platforms.</p> <p>Actively engage with local media about Hearings and issuing press releases to them at conclusion of each Hearing.</p>	<p>Release a minimum of three posts on the ethical standards framework on social media per week.</p>
<p><b>3.</b> Producing and promoting guidance, advice notes and other training material to support compliance with the Codes of Conduct.</p>	<p>Publish and share training presentations (with case illustrations) on changes to the Codes of Conduct.</p> <p>Update illustrations in Guidance, Advice Notes and standard presentations in light of decisions made at Hearings in 2021/22 and receipt of any relevant queries / requests for advice.</p> <p>Revise Guidance on both the Councillors' and Model Codes of Conduct.</p> <p>Continue to develop, consult on, publish and disseminate Advice Notes in light of any emerging trends or feedback (including those identified by Monitoring and Standards Officers at their respective workshops).</p>	<p>Training presentations and case illustrations to be updated and published when revised Codes approved and issued.</p> <p>Consult on revised Guidance on both Codes (when revised Codes are finalised and a date for Parliamentary approval is known), before issuing and publishing.</p> <p>Respond to all requests for assistance with training, on how to interpret provisions in the Codes of Conduct, and on how to make a complaint or resolve an issue concerning the ethical standards framework within timescales outlined in the Service Charter.</p> <p>Record enquiries and report on performance against timescales in Annual Report. Ongoing and Q2.</p>

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	Respond to enquiries and requests for assistance within timescales outlined in Service Charter.	
<p><b>4.</b> Working with Scottish Government and other stakeholders to promote the revised Codes of Conduct, and improving awareness of provisions in the Codes of Conduct and that a complaint can be made if these are contravened.</p>	<p>Promote revised Codes of Conduct, Guidance and Advice Notes.</p> <p>Produce BSL video on the Councillors' Code.</p> <p>Produce Guidance on both Codes in alternative formats.</p> <p>Work with Standards Officers to identify the best way the Standards Commission can support them in providing induction /training on the Model Code of Conduct and awareness, amongst board members and officers, of the right to make a complaint.</p>	<p>Discuss with Scottish Government and other Members of the Working Group on how to promote the revised Codes of Conduct in Q2, before they are approved and issued (likely to be Q3).</p> <p>Issue media releases on revised Codes and Guidance (when finalised) and promote on website, social media and in Standards Updates.</p> <p>Consider creating digital, Braille and BSL versions of Guidance and Advice Notes, or key provisions in these, where possible.</p> <p>Undertake research on different available formats for the Guidance and Advice Notes and costs of these in Q2.</p> <p>Progress any suggestions / agreed actions arising from discussions with Standards officers at the workshop in March 2021.</p>
<p><b>5.</b> Obtaining and undertaking detailed analysis of qualitative and quantitative evidence on our work to promote the Codes of Conduct so that we evaluate our impact in a meaningful way.</p>	<p>Implement agreed strategy to evaluate impact of both the promotional and adjudication work undertaken.</p> <p>Maintain a record of the nature of all enquiries and feedback received and about cases referred on an ongoing basis. Developing processes and standard correspondence and decision templates for issuing of decisions under Section 16 to take no action or to direct further investigation be undertaken.</p>	<p>Survey members of devolved public bodies and Standards Officers in Q1</p> <p>Survey councillors and Monitoring Officers in Q3 (to capture the views and experiences of existing elected members before the local government elections in May 2022).</p> <p>Report on all feedback received to be considered as standards agenda item at Standards Commission meetings.</p> <p>Policies, processes and standards correspondence and decision templates in place for issuing of decisions under Section 16 to take no action or to direct further investigation be undertaken and for Hearings where ESC do not consider there has been a breach of the relevant Code of Conduct by end of Q1.</p>

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<b>Actions (Taken from Strategic Plan)</b>	<b>Activities 2021/22</b>	<b>Measurement / Target</b>
	Developing policies and processes for Hearings to be held where ESC does not consider there has been a breach of the relevant Code of Conduct.	

## Strategic Aim 2: 'IMPROVEMENT'

We will pursue continuous improvement in the ethical standards framework and the way we do our work.

Actions	Activities 2021/22	Measurement / Target
<p>6. Making all decision under Sections 16, in respect of interim suspensions and at Hearings on breaches of the Codes of Conduct in the most effective and proportionate manner.</p>	<p>Undertake review of Rules and procedures on an ongoing basis when any new issues arise.</p> <p>Review decision to hold Hearings online (and livestream) only in cases where facts are not in dispute and only a limited number of witnesses are to be called.</p> <p>Undertake review of online Hearing procedures.</p> <p>Consider varying usual Hearing procedures when appropriate to do so if possibility of reducing costs arises.</p> <p>Undertake review of sanction decisions made over the past five years to identify trends and to ensure consistency and clarity in reasoning.</p>	<p>Invite parties to pre-Hearing meetings to discuss and hopefully resolve any procedural or technical issues in advance (ongoing).</p> <p>Undertake review of when to hold online Hearings when Covid-19 related travel restrictions are lifted and when internal audit complete.</p> <p>Undertake review of online procedures and associated information sheets and correspondence in Q2, using own experience, feedback and analysis of procedures used by analogous organisations.</p> <p>Actively consider all opportunities, and any requests, to vary normal Hearings procedures if possibility of reducing costs arises (provided there is no adverse impact in terms of access, openness and fairness).</p> <p>Hold half day session for Member in Q2 to analyse and discuss the sanctions applied.</p>
<p>7. Influencing the content and format of the Codes of Conduct to ensure they remain fit for purpose and are as accessible and user-friendly as possible.</p>	<p>Continue to actively participate in Joint Working Group established by the Scottish Government to review the Codes of Conduct. Assist the Scottish Government with analysing responses received, as part of the consultation process, on the draft revised versions and in preparing the final versions to be considered by the Scottish Parliament.</p>	<p>Executive Director to attend meetings of Joint Working Group and to provide feedback on progress to Standards Commission members at their monthly meetings.</p>

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Actions	Activities 2021/22	Measurement / Target
<p>8. Working with others to ensure there is consistency in terms of the standards expected of all individuals in public life.</p>	<p>Hold annual workshops with Monitoring and Standards Officers to discuss emerging trends and issues and how best to deal with these. Invite the ESC, Audit Scotland, Scottish Government, the Colleges Development Network and the Improvement Service to these.</p> <p>Work with Monitoring Officers to identify the best way the Standards Commission can support Councils in providing an induction /training on the Councillors Code of Conduct for individuals elected in the May 2022 local government elections.</p> <p>Discuss how best to promote the highest standards of ethical standards within Community Councils with the Scottish Government.</p>	<p>Workshop with Monitoring Officers to be held in Q3 (November). Discuss how Standards Commission can help with induction and training post May 2022 elections in terms of training materials, presentations, workshops etc.</p> <p>Workshop with Standards Officers to be held in Q4 (March).</p> <p>Request a meeting with Scottish Government Local Government's Division in Q3 to discuss how best to promote (voluntary) adherence to the key principles and Code for Community Councillors.</p>
<p>9. Helping to improve understanding of the ethical standards framework and resolving or mitigating any issues or tensions that might arise.</p>	<p>Work with the ESC to implement directions issued under Sections 10 and 11 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 to help deliver consistency in interpretation of the Codes of Conduct and in decision-making.</p> <p>Ongoing review of all sources of intelligence including complaints, enquiries, information gathering at workshops and training events, information gathering from the media, parliamentary committee reports and Audit Scotland reports to identify any topics that</p>	<p>Review compliance with Directions and seek to hold meetings with the ESC each quarter.</p> <p>Undertake annual reviews (end of Q4) of both enquiries and comments received on the Standards Commission's social media accounts, with reports then provided to Members outlining the numbers of comments or enquiries received by the:</p> <ul style="list-style-type: none"> <li>• category of individual it is from;</li> <li>• category of individual or organisation it concerns; and</li> <li>• its general nature</li> </ul> <p>in order to identify common issues or themes.</p> <p>Acknowledge any requests for dispensations within three working days and respond substantively within one month of receipt (following consultation with the ESC and</p>

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<b>Actions</b>	<b>Activities 2021/22</b>	<b>Measurement / Target</b>
	<p>would benefit from new educational material.</p> <p>Record any trends or issues arising from enquiries, and requests for advice, to determine whether any further general guidance or advice should be issued.</p>	<p>Scottish Government). Dispensations granted to be issued and published on website within one week of being agreed.</p>



**Strategic Aim 3: 'STAKEHOLDERS'**  
**We will pursue and develop strong relationships with our stakeholders.**

Actions	Activities 2021/22	Measurement / Target
<p>10. Identifying and seeking ways of working with all individuals and organisations who are potentially affected by the ethical standards framework.</p>	<p>Hold at least two training events for councillors on the Councillors' Code of Conduct.</p> <p>Consult ESC on any proposed substantive changes to the Hearing Rules and associated procedural documents.</p> <p>Circulate feedback forms at every Hearing and request feedback in decision letters and via Standards Updates and social media. Seek feedback from Panel Members on management of all activity relating to each Hearing, including administrative arrangements, communications and the preparation of written decisions.</p> <p>Update Hearing Rules, procedures and processes as appropriate in light of any feedback and reviews.</p> <p>Provide updates on feedback and any improvements and changes made in Standards Updates, via social media and in Annual Report.</p>	<p>Training events to be held in Qs 1 and 3.</p> <p>Review of each Hearing undertaken as standing agenda item at the Standards Commission meeting which follows the conclusion of each Hearing. This to include analysis and discussion on what went well or otherwise, and what could have been done differently.</p> <p>Feedback to be sought on Standards Commission's Hearing Rules, Hearings related Guidance, communications / correspondence, how it conducts Hearings and the clarity of its public information and decisions. Overall feedback to be collated and circulated to Members for consideration in Q4.</p> <p>Following up with Monitoring / Standards Officers three months after Hearings to see whether there has been any discernible impact in terms of behaviour as a result of the decision.</p>
<p>11. Improving engagement with Chairs / Conveners of devolved public bodies and local authority committees to try to prevent issues and breaches of the Codes from arising at meetings and to</p>	<p>Support or hold training event(s) for Conveners / Committee Chairs on respect and identifying and dealing with conflicts of interests (and any other issues that arise).</p> <p>Support the Scottish Government with development of further content for its</p>	

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Actions	Activities 2021/22	Measurement / Target
<p>help them increase awareness of the provisions in the Codes of Conduct.</p>	<p>Governance Hub for members of Devolved Public Bodies and its training sessions and induction material on the Model Code of Conduct.            Support Scottish Government with its training of Chairs of Devolved Public Bodies on the ethical standards framework.</p> <p>Create, publish and issue Guidance for the public on Model Code and how to make a complaint.</p>	
<p>12. Actively seeking feedback on our educational material, policies and procedures and collaborating with other regulators and partner bodies across the UK to share experiences and inform best practice.</p>	<p>Consult with stakeholders on any substantive changes made to Standards Commission's Guidance and Advice Notes in light of any agreed amendments to the Codes of Conduct.</p> <p>Actively engage and collaborate with Committee on Standards in Public Life, Northern Ireland Ombudsman and Standards Commissioner for Wales on emerging trends arising from complaints and Hearings and on best practice.</p> <p>Continue contact with other key stakeholders including ESC, SOLACE, Audit Scotland, COSLA, the College Development Network and the Improvement Service, and consult with all on any substantive changes to Guidance and any new Advice Notes as appropriate.</p>	<p>Consult with other key stakeholders on changes to Guidance / any new Advice Notes within one month of these being agreed by the Standards Commission. Executive Director to have regular contact, and if possible one meeting per year, with each of the Committee on Standards in Public Life, Northern Ireland Ombudsman and Standards Commissioner for Wales.</p> <p>Executive Director to attend SOLAR liaison group meetings in Q2 and Q4. Standards Commission to hold one meeting per annum with SOLACE officeholders, Audit Scotland and COSLA.</p>

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Actions	Activities 2021/22	Measurement / Target
<p>13. Seeking to share services where possible, to ensure best value.</p>	<p>Migrate all files to the SharePoint platform provided by the Scottish Parliament's Business and Information Technology Team.</p> <p>Explore any and all opportunities to work jointly or in partnership with other public bodies to ensure the efficient delivery of the Standards Commission's functions, to eliminate duplication and to obtain best value in terms of shared services.</p> <p>Implement recommendations and action points arising from external and internal audits.</p> <p>Review all shared service / service level agreements.</p> <p>Ensure Standards Commission is named in any relevant SPCB and Officeholders' procurement contracts.</p>	<p>Complete migration and training of all staff and Members on SharePoint by end of Q3.</p> <p>Participation in Commissioners and Ombudsman's Group, FOISA Network Group and Data Protection Officer meetings. Ongoing research and <i>ad hoc</i> contact with other public bodies.</p> <p>Programme of audits and associated improvement actions to be completed Q4.</p> <p>Review of all shared service agreements including ones with SPCB's BIT, Internal Audit and provision of DPO services to be undertaken in Q3 and Q4.</p>

## Strategic Aim 4: 'CLARITY'

We will ensure that all stakeholders, including members of the public, have easy access to high quality information about the organisation, its work and any initiatives it is undertaking.

Actions	Activities 2021/22	Measurement / Target
<p>14. Ensuring all case related decisions are clearly explained and well-reasoned.</p>	<p>Develop induction and training plan for new Member.</p> <p>Recruit new Caseworker to assist with: casework; preparation for Hearings; liaison with Panel Members, parties and witnesses; and drafting of decisions.</p> <p>Ensure Members are briefed fully on all relevant issues before making Section 16 decisions on reports referred by the Ethical Standards Commissioner (ESC).</p> <p>Ensure Hearing Panel Chairs and Members are briefed fully before Hearings on facts / matters that are in dispute and any relevant legislation or case law.</p> <p>Update Rules, procedures and decision-making templates in light of relevant case law, appeal decisions and cases / or work in analogous organisations / jurisdictions. Ensure Panel Members receive training accordingly.</p> <p>Send draft decisions to Panel Members for review within two working days of conclusion of Hearing / decision to impose an interim suspension.</p>	<p>Implement training and induction plan for new member in Q2.</p> <p>Recruit, induct and train new Caseworker in Q1.</p> <p>Briefing note to be circulated to Members within 3 days of report from ESC.</p> <p>Reasoning for all decision to 'take no action' under Section 16 circulated to nominated member for approval before decision issued.</p> <p>Hearing briefing note to be issued / provided to Panel Chair and Members, or briefing meeting arranged, at least 7 days before Hearings.</p> <p>Ongoing research to be undertaken in respect of relevant case law, appeal decisions and cases / or work in analogous organisations / jurisdictions. Updates and training to be provided accordingly.</p> <p>Panel Members to provide feedback on quality of draft written decisions as part of case review at Standards Commission meeting following a decision to take no action under Section 16, or the conclusion of the Hearing, or a decision on the imposition or otherwise of an interim suspension.</p>

**Strategic Aim 4: 'CLARITY'**

We will ensure that all stakeholders, including members of the public, have easy access to high quality information about the organisation, its work and any initiatives it is undertaking.

<b>Actions</b>	<b>Activities 2021/22</b>	<b>Measurement / Target</b>
15. Using digital technology to ensure all educational material and information about good practice and Hearings are published and disseminated as widely as possible.	<p>Include information about how to find information about Hearings and educational materials in Standards Updates, via standalone communications, on website and via email and social media.</p> <p>Publish and disseminate standalone news items in respect of any high-profile or potentially controversial Hearings or appeal decisions.</p> <p>Encourage stakeholders to follow Standards Commission on its social media platforms.</p>	<p>Undertake research on different available formats / technology (and costs) for educational material in Qs 1 and 2.</p> <p>Publish and disseminate standalone news items in respect of any high-profile or potentially controversial issues, Hearings and appeal decisions.</p> <p>Include information about Standards Commission's social media platforms in correspondence and Standards Updates.</p>