



INTEGRITY IN PUBLIC LIFE

## **BUSINESS PLAN**

**2022 / 2023**

## Strategic Aim 1: 'IMPACT'

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

Actions (Taken from Strategic Plan)	Activities 2022/23	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>Analysing outcome of any report and statistics produced as a result of any independent investigation undertaken on all eligibility decisions and investigations carried out by the ESC since August 2020 (as per Audit Scotland's recommendation to the ESC).</p> <p>Review Outcome of Investigations Direction to determine whether it should be renewed. (n.b. Direction was effective from 12 November 2020 and expires on 11 November 2022).</p> <p>Review Reporting on Progress of Investigations Direction (issued on 1 July 2020, no expiry date).</p> <p>Review Eligibility Direction (effective from 2 March 2021, expires on 1 March 2023).</p> <p>Compile 'wish list' of recommendations to amend the governing legislation so potential breaches of the Codes of Conduct can be dealt with in the most effective and proportionate manner.</p> <p>Raise issue with s31 of Local Government (Scotland) Act 1973 with the appropriate Minister and spearhead legislative change.</p>	<p>Reissue or issue any new Directions under Sections 10 &amp; 11 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the 2000 Act) or take any other action as required following review.</p> <p>Review to be completed (including consultation with ESC and other stakeholders as appropriate) by 31.10.22.</p> <p>Following consultation with ESC, review to be completed by end of Q2.</p> <p>Following consultation with ESC, review to be completed by end of Q4.</p> <p>Ongoing. Discuss compiled list with ESC in Q4.</p> <p>Ongoing. Letter sent to Minister and response received in 2021/22– the change will be made, but legislative agenda means this may take some time.</p>
<p><b>2.</b> Taking all opportunities to be a strong and consistent voice for the importance of the ethical standards</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</p>	<p>Hold regular meetings with public relations company to keep them advised of key issues arising and work being undertaken. Ask public relations company for advice on how to take advantage of opportunities to communicate messages about the ethical standards framework and Codes of Conduct when matters concerning public standards were the subject of media scrutiny and public debate.</p>

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<p>framework and compliance with the Codes of Conduct.</p>	<p>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>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>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> <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, to educate on best practice and to drive up standards.</p>	<p>Review and update standard training presentations (and case illustrations) on the Codes of Conduct.</p> <p>Update case examples and illustrations in Guidance, Advice Notes and standard presentations in light of feedback and enquiries received and decisions made.</p> <p>Continue to develop, consult on, publish and disseminate Advice Notes in light of any emerging trends or feedback (including</p>	<p>Review and update training presentations in Q3.</p> <p>Ongoing review of Guidance and Advice Notes. Seek feedback from Standards Officers at workshop in March 2022 and from Monitoring Officers at workshop in October 2022 and amend in light of any suggestions made.</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>

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	<p>those identified by Monitoring and Standards Officers at their respective workshops).</p> <p>Respond to enquiries and requests for assistance within timescales outlined in Service Charter.</p>	<p>Record enquiries and report on performance against timescales in Annual Report. Ongoing and Q2.</p>
<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>Create “easy read” leaflet on role and remit of Standards Commission.</p> <p>Promote revised Codes of Conduct, Guidance and Advice Notes.</p> <p>Develop and publish interactive training material on specific aspects of the Codes or ethical standards framework.</p> <p>Produce Guidance on both Codes in alternative formats.</p> <p>Assist Scottish Government with induction of new members of devolved public bodies.</p>	<p>Organisation identified to provide such a leaflet. Leaflet to be produced and published in Q1.</p> <p>Ongoing promotion of Codes, Guidance and Advice Notes via website, Standards Updates, social media, training and workshop events and news releases.</p> <p>Interactive content on at least two topics to be produced and published online by end of Q3.</p> <p>Consider creating digital, Braille and BSL versions of Guidance and Advice Notes, or key provisions in these, where possible.</p> <p>Liaise with Public Bodies Unit on ongoing basis to develop content on ethical standards framework for their governance hub for members of devolved public bodies. Executive Director to present on Model Code at the quarterly “Welcome On Board” induction workshops for Ministerial appointees.</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>Analyse and publish key outcomes of surveys of Monitoring Officers and councillors that were undertaken in Q4 of 2021/22. Develop action plan in light of any suggestions and feedback.</p> <p>Survey members of devolved public bodies and Standards Officers in Q1. Analyse and publish key outcomes. Develop action plan in light of any suggestions and feedback.</p>	<p>Analysis to be published by end of Q1. Plan in place by end of Q1 with any identified actions completed by end of Q4.</p> <p>Finalise and issue survey of members of devolved public bodies and Standards Officers in Q2. Analysis to be published by end of Q3. Plan in place by end of Q4 with any identified actions completed by end of Q4 or carried forward to 2023/24.</p>

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	<p>Maintain a record of the nature of all enquiries and feedback received and about cases referred on an ongoing basis.</p> <p>Analyse all decisions made in 2021/22, under Section 16 of the 2000 Act, and review policy, process document, templates, publication scheme and decision-making procedures.</p>	<p>Report on all feedback received to be considered as standing agenda item at Standards Commission meetings.</p> <p>Analysis of Section 16 decisions to be completed by end of Q1. Review all policies, processes, publication scheme and templates for issuing of decisions under Section 16 in Q2.</p>

## Strategic Aim 2: 'IMPROVEMENT'

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

Actions	Activities 2022/23	Measurement / Target
<p><b>6.</b> Making all decisions including those:</p> <ul style="list-style-type: none"> <li>• under Sections 16;</li> <li>• in respect of interim reports; and</li> <li>• at Hearings on breaches of the Codes of Conduct in the most effective and proportionate manner.</li> </ul>	<p>Seek feedback from Members and ESC and review Section 16 decision-making process.</p> <p>Undertake comprehensive review of Rules and procedures on an ongoing basis when any new issues arise.</p> <p>Actively engage with parties before Hearings to ensure:</p> <ul style="list-style-type: none"> <li>• issues are identified and resolved in advance;</li> <li>• deadlines for providing information are met; and</li> <li>• queries are answered timeously and fully.</li> </ul> <p>Consider varying usual Hearing procedures when appropriate to do so if possibility of reducing costs arises.</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>Review Section 16 decision-making process and Rules in Q2 or Q3 (after new Member has been inducted and in post for at least three months so their views can be sought). Actively seek to engage with parties before all Hearings. Invite parties to pre-Hearing meetings to discuss and hopefully resolve any procedural or technical issues in advance (ongoing).</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>

## Strategic Aim 2: 'IMPROVEMENT'

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

Actions	Activities 2022/23	Measurement / Target
	<p>Training for new and existing members to be provided on Article 10 ECHR and its application.</p> <p>Undertake review of all case decision made over the year to identify trends and to ensure consistency and clarity in reasoning.</p>	<p>Article 10 training to be provided after new member appointed (by end of Q1).</p> <p>Annual review of cases decisions to be undertaken at a Standards Commission meeting in Q4.</p>
<p>7. Working with others to ensure there is consistency in terms of the standards expected of individuals in public life.</p>	<p>Working with the Scottish Parliamentary Corporate Body to ensure succession planning in place to replace the two Standards Commission members who were due to demit office in quarter four.</p> <p>Providing thought leadership by establishing and promoting a network to drive collaboration between all organisations who seek to ensure integrity 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>Improving engagement with devolved public bodies to help them to increase awareness amongst their members of the provisions in the Codes of Conduct and how to complain about any failure to adhere to these.</p>	<p>Seek meeting with Officeholder Services in quarter one to discuss succession planning.</p> <p>Identifying and holding initial discussions individually with organisations throughout Scotland and then the wider UK by end of Q2 (with a view to then considering how a network can be established and promoted).</p> <p>Workshop with Monitoring Officers to be held in Q3 (October).</p> <p>Workshop with Standards Officers to be held in Q4 (March).</p> <p>Executive Director to participate on quarterly SOLAR Monitoring Officer Liaison group meetings.</p> <p>Executive Team to hold regular meetings with the Audit Scotland, Scottish Government, the Colleges Development Network and the Improvement Service to discuss issues of common interest.</p>

## Strategic Aim 2: 'IMPROVEMENT'

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

Actions	Activities 2022/23	Measurement / Target
	<p>Discuss how best to promote the highest standards of ethical standards within Community Councils with the Scottish Government.</p> <p>Make contact with Irish Standards in Public Office Commission (SIPO) with a view to knowledge-sharing between the two organisations.</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>Contact Irish SIPO and set up initial virtual meeting by end of Q2.</p>
<p><b>8.</b> Helping to improve understanding of the ethical standards framework and resolving or mitigating any issues or tensions that might arise.</p>	<p>Respond fully to all enquiries about the Codes and how provisions should be interpreted within the timescales outlined in the Service Charter.</p> <p>Hold at least two training events for councillors on the Councillors' Code of Conduct. Training events to be provided for boards of public bodies on request, where resources permit.</p> <p>Regular meetings with ESC to discuss trends and issues that emerge in order to develop (as far as possible) a common understanding of how provisions in Code should be interpreted.</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>Ongoing. General nature of enquiries and timescales for responses recorded. Report on these to be produced and considered in Q4.</p> <p>Training events for councillors to be held in Qs 2 and 3.</p> <p>Three formal joint meetings to be held with ESC in June and September 2022 and February 2023. Fortnightly informal meetings to be held between Executive Team and ESC and his team.</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>

## Strategic Aim 2: 'IMPROVEMENT'

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

Actions	Activities 2022/23	Measurement / Target
	<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>Acknowledge any requests for dispensations within three working days and respond substantively within one month of receipt (following consultation with the ESC and 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 2022/23	Measurement / Target
<p>9. Identifying and seeking ways of working with all individuals and organisations who are potentially affected by the ethical standards framework.</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>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>Circulate feedback forms at every Hearing and request feedback in decision letters and via Standards Updates and social media.</p>	<p>Regular liaison with Standards Officers and Monitoring Officers via the issuing of quarterly Standards Updates, the holding of workshops and meetings with relevant stakeholder groups (such as the MO Liaison Group and the College Development Network).</p> <p>Use responses from feedback, liaison meetings and from survey of Monitoring Officers undertaken in Q4 of 2021/22 and survey of Standards Officers in 2022/23 to identify the best way the Standards Commission can provide support in terms of induction / training on the Codes (ongoing).</p> <p>Feedback to be sought on Standards Commission's Hearing Rules, Hearings related Guidance, communications / correspondence, how it conducts Hearings</p>



### Strategic Aim 3: 'STAKEHOLDERS'

We will pursue and develop strong relationships with our stakeholders.

Actions	Activities 2022/23	Measurement / Target
	<p>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>Assist the ESC and SPCB, where appropriate, in seeking to comply with the recommendations in Audit Scotland's Section 22 report on the ESC.</p>	<p>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>Consult ESC on any proposed substantive changes to the Hearing Rules and associated procedural documents.</p> <p>Identifying and acting upon any improvements to governance arrangements and the way the ethical standards framework operates that raise from the response to Audit Scotland's Section 22 report on the ESC.</p>
<p><b>10.</b> 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 to be made to the Standards Commission's Guidance and Advice Notes.</p> <p>Actively engage and collaborate with the ESC, 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</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.</p> <p>Executive Team 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>

### Strategic Aim 3: 'STAKEHOLDERS'

We will pursue and develop strong relationships with our stakeholders.

Actions	Activities 2022/23	Measurement / Target
	<p>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>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>
<p><b>11.</b> 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>Discuss shared training opportunities with other Officeholders (particularly on data protection and cybersecurity).</p> <p>Implement recommendations and action points arising from external and internal audits.</p> <p>Review service level agreement with Scottish Parliament's Business and Information Technology Team (BIT).</p> <p>Ensure Standards Commission is named in any relevant SPCB and Officeholders' procurement contracts.</p>	<p>Further discussions on timescales to be held with Business and Information Technology Team. Compile plan for migration and training of all staff and Members on SharePoint once dates agreed.</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>Hold regular discussions with other Officeholders and include as appropriate when seeking quotes for provision of training. Provide refresher training to all staff and members on both data protection and cybersecurity by end of Q1.</p> <p>Programme of audits and associated improvement actions to be completed Q4.</p> <p>Review of service agreement with BIT in Q2.</p> <p>Ongoing contact with Officeholder Services about any significant procurement.</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 2022/23	Measurement / Target
<p><b>12.</b> Ensuring all case related decisions are clearly explained and well-reasoned.</p>	<p>Induct and train new Member on:</p> <ul style="list-style-type: none"> <li>• the Codes of Conduct, Guidance and Advice Notes;</li> <li>• all case related policies, processes and decision-making procedures; and</li> <li>• the management of Hearings (including Chairing).</li> </ul> <p>Complete training for existing Members on the revised Codes and Guidance.</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>Induction and training completed by end of Q2 (including any external training if required).</p> <p>Training to be completed by end of 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.

Actions	Activities 2022/23	Measurement / Target
<p><b>13.</b> Using digital technology to ensure all educational material and information about good practice and Hearings are published and disseminated as widely as possible.</p>	<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>Issue quarterly Standards Updates. Regularly update website and issue at least three social media posts per week.</p> <p>Create and upload new videos on key principles, and role and remit of Standards Commission on to social media platforms and website by end of Q1.</p> <p>Publish and disseminate standalone news items in respect of any high-profile or potentially controversial issues, Hearings and appeal decisions (ongoing).</p> <p>Include information about Standards Commission's social media platforms in correspondence and Standards Updates (ongoing).</p>