
STANDING ORDERS 2019

1. Introduction

- 1.1 The Standards Commission has made the following arrangements for the discharge of its functions. These arrangements are to be referred to as ‘the Standing Orders’.
- 1.2 These Standing Orders will be reviewed every five years by the Standards Commission and revised if appropriate.
- 1.3 Any references to meetings in these Standing Orders concern meetings of the Standards Commission, however, this does not include pre-Hearing meetings or Hearings held by the Standards Commission under Section 16 of the Ethical Standards in Public Life etc. (Scotland) Act 2000.

2. Standards Commission Meetings

- 2.1 The Convener will chair all meetings at which he or she is present.
- 2.2 If the Convener cannot attend a meeting he or she will appoint an acting chair, failing which the members present shall elect one of their number to act.
- 2.3 The Standards Commission will normally meet ten times per year. There should not be a gap of more than four calendar months between meetings.
- 2.4 The Convener may call for a meeting of the Standards Commission at any time. Other members may also do so under the arrangements outlined in paragraph 4.4 below.

3. Quorum

- 3.1 The quorum of the Standards Commission is three members.
- 3.2 A member participating via conference call or by other remote means will have the same rights and responsibilities as members attending in person, including full voting rights. Their participation will count as attendance for the purpose of establishing whether a quorum is present. However, a member who is not physically present should not chair the meeting.

- 3.3 In the event that a meeting of the Standards Commission is inquorate for any reason it shall be open to any members present to discuss the matters on the agenda. However, any proposed decisions must be referred to the next meeting of the Standards Commission for ratification.

4. Calling of Meetings

- 4.1 Meetings of the Standards Commission will be called by the Convener or by any person acting under his / her instruction. Wherever practicable, members will be given at least seven days' notice. A meeting will be considered to be properly convened if at least three days' notice is given.
- 4.2 Subject to paragraph 2.3 above, the frequency of Standards Commission meetings will be proposed by the Convener and agreed by the Standards Commission.
- 4.3 An agenda for the meeting and any papers will also be sent to members, at least seven calendar days before each meeting, wherever possible.
- 4.4 On receipt of a written request from three members, the Executive Director can arrange for a special meeting of the Standards Commission be called.
- 4.5 A meeting shall be properly convened if the majority of members agree to waive the requirement for notice.

5. Conduct of Business and Voting

- 5.1 Decisions of the Standards Commission can be made unanimously or by a majority of the members present. If, following full discussion, a divergence of views is evident, the Chair may decide to call for a vote to enable a clear decision to be reached. A vote can be taken orally, in writing or by a show of hands at the chair's discretion. In the event of a tied vote, the Chair will have the casting vote.
- 5.2 While staff or invited attendees may be present, only members of the Standards Commission are eligible to vote at Standards Commission meetings.
- 5.3 The minute of the meeting shall record any decisions taken. In the absence of a statement to the effect that the decision was taken by a majority vote, it will be deemed a unanimous decision. A member dissenting from a majority decision can ask for their dissent to be recorded in the Minutes, but the principle of collective responsibility will still apply.
- 5.4 Any member who has concerns about a decision taken at a meeting at which he or she was not present may raise their concerns with the Convener. The Convener can decide to defer the implementation of any such decision and refer the matter to a subsequent meeting of the Standards Commission for further discussion if he or she deems it appropriate to do so.
- 5.5 Any member can ask for an item to be included in the agenda for a meeting of the Standards Commission. The final decision as to whether any item should be included or not rests with the Convener.

- 5.6 Any member who has a declarable interest in an item to be discussed will declare that interest at the earliest practicable opportunity and, where appropriate, will withdraw from the room in accordance with the Standards Commission's Code of Conduct for Members.
- 5.7 The Convener may invite any external parties to attend any meeting, or part of a meeting, and to participate in any discussions.

6. Convener

- 6.1 The Convener will decide all matters of conduct, order, competency and relevancy, and his or her decision will be final.
- 6.2 The Executive Director, as Accountable Officer, may raise objections to a course of action being contemplated if he or she considers it may be ultra vires or could lead to a successful legal challenge against the Standards Commission. In such circumstances, the Convener will suspend consideration of the matter to give the Executive Director the opportunity to prepare written submissions on what the objections are and the legal or statutory basis for them for consideration by members.

7. Circulation and Approval of Minutes

- 7.1 The draft minutes of the meeting will be submitted to the Chair for approval within seven calendar days of the meeting.
- 7.2 The draft minutes will be included in the agenda for approval at the next available meeting.

8. Governance

- 8.1 The primary role of all members is to provide strategic direction, oversight, support, guidance; to undertake risk management; to ensure statutory compliance and to promote commitment to the Standards Commission's core values, policies and objectives. Members are expected to carefully scrutinise plans and the underlying assumptions before any decisions are taken, and thereafter to monitor performance against agreed objectives and the Strategic and Business Plans.
- 8.2 All members must comply with the Commission's Code of Conduct and observe the key principles of public life outlined within it.
- 8.3 The Convener of the Standards Commission will meet with members regularly and appraise them annually in relation to their performance as members.

9. Committees

- 9.1 The Standards Commission may establish Committees consisting of its members for any purpose as the Standards Commission determines.
- 9.2 The Standards Commission shall appoint the Chair of any such committee which it establishes and shall specify the quorum.

9.3 Any Committee shall operate within its agreed terms of remit as specified by the Standards Commission.



Data control and version information				
Date	Action by	Version Updated	Current version	Brief Description
03/11/2015	LJ	N/A	V1.0	Standing Orders 2015.
28/01/2019	LJ	N/A	2019 v1	Minor amendments made, review process updated - five yearly cycle