Item 16.2 ii

STANDARDS COMMISSION FOR SCOTLAND

INTEGRITY IN PUBLIC LIFE

The Standards Commission for Scotland

STRATEGIC PLAN 2024-28

INTRODUCTION

Who we are

The Standards Commission is an independent body whose purpose is to encourage high ethical standards in public life through the promotion and enforcement of Codes of Conduct for councillors and those appointed to the boards of devolved public bodies.

The Standards Commission comprises a Convener and four Commission Members who are appointed by the Scottish Parliament. The Standards Commission employs four staff, led by an Executive Director.

What we do

The role of the Standards Commission is to:

- encourage high ethical standards in public life through the promotion and enforcement of the Codes of Conduct;
- issue guidance to councils and devolved public bodies; and
- adjudicate on alleged breaches of the Codes of Conduct, and where a breach is found, to apply a sanction.

This plan outlines how the Standards Commission intends to undertake this role and exercise its functions during the period from 1 April 2024 to 31 March 2028.

WHY STANDARDS MATTER

The Standards Commission believes that adherence to the key principles of public life and a commitment to high ethical standards are crucial elements of a successful democracy. The public's trust and confidence in public bodies, and desire to engage with politics, civic life and community decisions, are largely dependent on them having trust that those in public life (including politicians and individuals appointed to the boards of public bodies) are committed to high ethical standards.

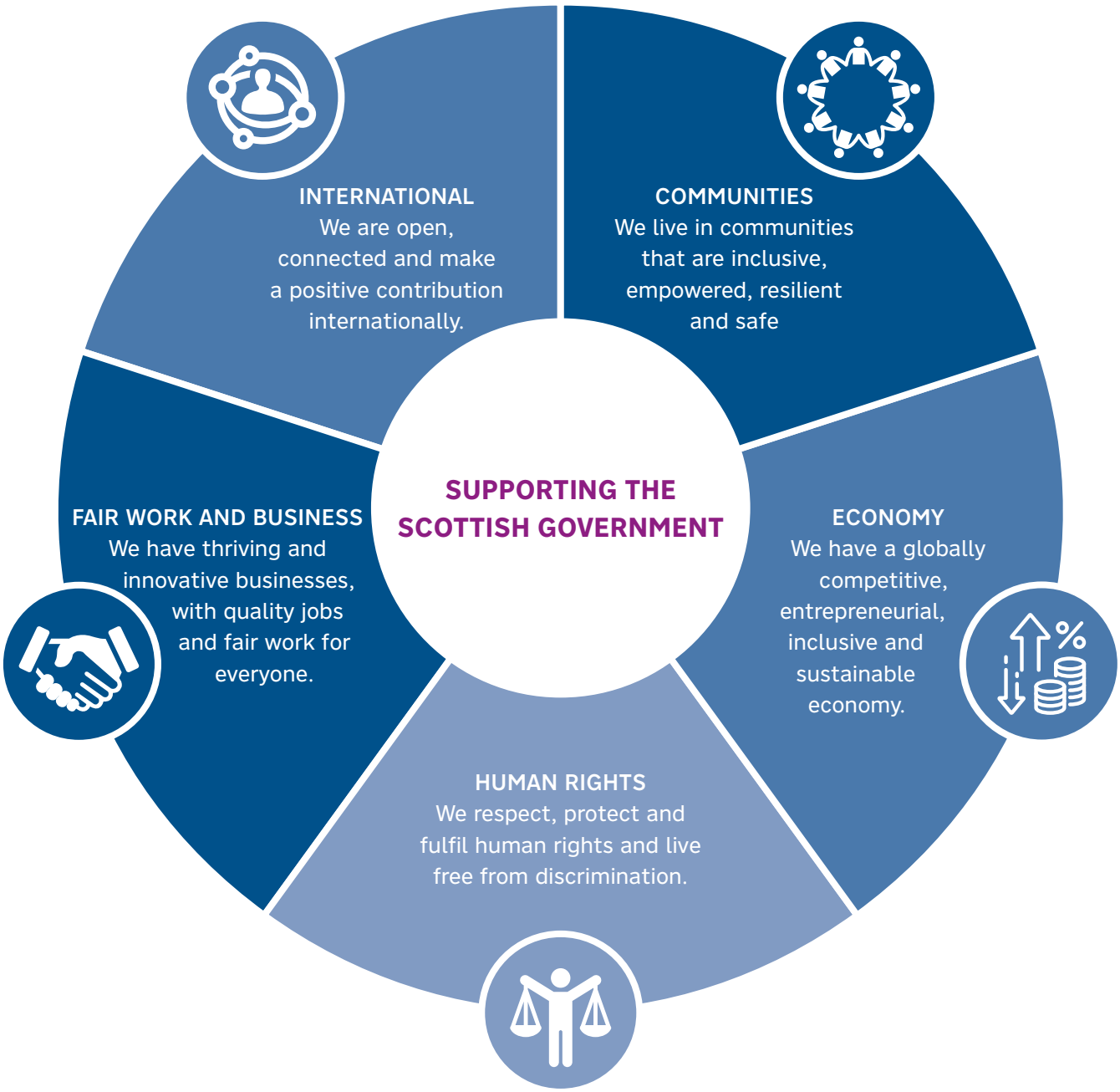
The Standards Commission considers that a democracy cannot function properly where there is little or no trust in public institutions and bodies, as the delivery of policies and services depends largely on the response and engagement from the public.

A lack of trust in politicians and others in public life can also have an adverse effect on participation and diversity. Members of the public may be discouraged from standing for office if they have no faith in those in charge. The Standards Commission considers that Scotland needs as many people from as many walks of life as possible to participate in its democracy, in order to ensure all views and interests are represented.

Supporting the Scottish Government

The National Outcomes set out a vision for national wellbeing in Scotland. In the case of public services, the National Outcomes build on the wider Scottish approach to reform – aligning the whole public sector around a common set of outcomes supporting partnership working, collaboration and emphasising prevention.

In abiding by its values and in seeking to achieve its strategic aims, the Standards Commission will contribute directly to the achievement of the following outcomes identified in the National Outcomes:



COMMUNITIES: **We live in communities that are inclusive, empowered, resilient and safe.**

Any member of the public can make a complaint that a councillor or member of a devolved public body has breached their respective Code of Conduct. The Standards Commission empowers them to do so by providing advice on what could constitute a breach and how to make a complaint. It also holds its Hearings in public, and publishes and disseminates its decisions, meaning that local communities can hold their representatives to account.

ECONOMY: **We have a globally competitive, entrepreneurial, inclusive and sustainable economy.**

The Standards Commission's role in improving and maintaining ethical standards in public life will help promote business confidence in Scotland as being a nation where decisions that can affect competition, enterprise, inclusivity and sustainability are made objectively, honestly and in the public interest.

HUMAN RIGHTS: **We respect, protect and fulfil human rights and live free from discrimination.**

The Standards Commission's work in promoting the high standards of conduct, and in sanctioning those in public life who fail to treat others with courtesy and respect, helps maintain the public's trust that those in positions of power will lead by example and refrain from participating in, or in any way condone, acts of harassment, discrimination, victimisation or bullying. The Standards Commission will nevertheless always balance the right to freedom of expression with the need to protect the rights and reputations of others.

FAIR WORK AND BUSINESS: **We have thriving and innovative businesses, with quality jobs and fair work for everyone.**

The Standards Commission's work contributes to raised confidence that those who are elected or appointed to serve within the public sector environment will conduct public business in a fair and open manner.

INTERNATIONAL: **We are open, connected and make a positive contribution internationally.**

The Standards Commission's work in helping to ensure decisions are made transparently and in the public interest, contributes to the perception that Scotland is fair and socially just, and is regarded as a vibrant, modern country where communities are seen as being important and playing a vital role. The Standard's Commission's work also contributes to the standing of Scotland internationally in the view of organisations such as the United Nations and Transparency International.

VISION

For councillors and members of devolved public bodies in Scotland to uphold the high standards in their behaviour, conduct and decision-making so that:

- the public has confidence in its local authorities and public bodies; and
- to help local authorities and public bodies work effectively.

VALUES

In pursuing its vision, the Standards Commission will demonstrate the following values:

FAIRNESS – we are objective, transparent, consistent and proportionate

APPROACHABLE – we are inclusive, collaborative, respectful and helpful

LEADERSHIP – we display leadership by initiating, advocating, being agile, delivering; and by seeking to learn and improve

OUR AIMS

The Standards Commission separated its strategic aims for the period from 1 April 2020 to 31 March 2024 into the following four categories:

- Impact
- Stakeholders
- Clarity
- Improvement

The Standards Commission sought, over the last four years, to have an **impact** in terms of driving up standards by training councillors and members on their respective Codes of Conduct and also by producing advice notes and interactive content on the provisions that cause the most difficulties. It worked with **stakeholders** to revise the content and format of the Codes of Conduct to ensure they remained fit for purpose, and were as accessible and user-friendly as possible. The Standards Commission reviewed its Guidance and produced other educational material to ensure there was **clarity** in terms of the expected standards of conduct. This included identifying good practice and incorporating case examples and illustrations to help councillors and members to apply the provisions of the Codes of Conduct to the situations they might find themselves. The Standards Commission used its statutory powers of direction and oversight to strengthen and **improve** the ethical standards framework by ensuring that the process for dealing with complaints was fair, transparent and consistent.

In the period from 1 April 2024 to 31 March 2028, the Standards Commission intends to build on this work by achieving the following aims.

Promotion and Education

The Standards Commission will take all opportunities to be a strong and consistent voice for the importance of the key principles of public life and to educate on the standards of conduct expected of councillors and members of devolved public bodies.

WE WILL DO THIS BY:

- Ensuring material used to train and educate councillors and members of public bodies on best practice and compliance with their Codes of Conduct is accessible, user-friendly and audience-targeted.
- Working with partners, including the Ethical Standards Commissioner (ESC) so that everyone is aware of the requirements of the Codes of Conduct, the standards expected of those in public life and, the importance of these, and:
  - know how to make a complaint
  - are confident about reporting poor behaviour.

- Engaging and working with the ESC, MSPs, political parties and others to try to improve behaviours, and to increase understanding of the negative impact of poor conduct and any deterioration in standards on:
  - public trust and confidence in politics and those representing them, and in local government and public bodies;
  - the ability of local authorities and public bodies to work effectively; and
  - representation and willingness to stand for, or remain in, a public role.
- Obtaining qualitative and quantitative evidence on our work to promote high ethical standards and educate on the Codes of Conduct, via feedback, surveys and by monitoring progress against key performance indicators, so that we can:
  - evaluate our impact in a meaningful way; and
  - develop an evidence-based improvement cycle.

Stakeholders and Service Users

The Standards Commission will continue to develop strong relationships with its stakeholders and work with them to resolve issues and prevent breaches of the Codes of Conduct.

WE WILL DO THIS BY:

- Seeking and using intelligence gained from discussions, enquiries, feedback and cases to inform best practice and best value, in terms of our approach to educational and training material.
- Creating and taking all opportunities to collaborate with key stakeholders, including councils, public bodies and the Improvement Service, to promote the ethical standards framework and to provide training on best practice and the requirements of the Codes of Conduct.
- Making the best use of technology and developing digital content to ensure its training and educational material is as accessible as possible.
- Being approachable so that stakeholders and service users feel comfortable in contacting the organisation:
  - for assistance in resolving any practical issues that arise as a result of any gaps or tensions in the ethical standards framework, or potential ambiguities in how the Codes of Conduct should be interpreted;
  - to seek advice about the provisions in the Codes of Conduct to avoid any inadvertent breach; and
  - to understand what is required of councillors and members of public bodies to reduce the possibly of needless and unfounded complaints being made.

Adjudication

The Standards Commission will make clear, evidence-based and well-reasoned decisions on cases referred to it for adjudication to help improve standards and ensure any failure to meet those expected by the Codes of Conduct is dealt with in a fair, consistent and proportionate manner.

WE WILL DO THIS BY:

- Ensuring Members and staff receive full training on:
  - the Codes of Conduct;
  - relevancy of material and submissions and how to weigh and assess evidence; and
  - good practice in decision-making and in conducting and managing Hearings.
- Seeking and analysing feedback to review and, where applicable, improve all adjudication related policies, processes and practices.
- Reviewing and suggesting changes to the governing legislation so that we can deal with breaches of the Codes of Conduct in the most effective and proportionate manner.
- Using digital technology to ensure information about Hearings, case decisions and any learning points from these, including the impact or potential impact of the conduct being considered, are published and disseminated as widely as possible.

Members and Staff

The Standards Commission will continue to invest in, engage with and empower its Members and staff to deliver its work effectively and efficiently.

WE WILL DO THIS BY:

- Creating personal development plans for Members and staff so that they have the right skills and knowledge to realise our strategic and operational aims, and can use their experience and expertise to help drive performance and its continuous improvement agenda.
- Continuing to demonstrate through our actions what the Codes of Conduct and the key principles of public life mean in practice.
- Collaborating with other regulators and partner bodies across the UK to share experiences and inform best practice.
- Using feedback and research to keep abreast of developments in respect of the ethical standards framework and developments in terms of how behaviours are perceived.

When we will do this and how we will prioritise activity

The Standards Commission publishes a business plan every year, which outlines the organisation's planned actions, timetable for delivery, key targets and performance indicators, and how each activity supports the vision and strategic aims. The Standards Commission's business plans can be found on its website at **https://www.standardscommissionscotland.org.uk/corporate-info/strategic-and-business-plans**. The Standards Commission sets targets and prioritises the activities by balancing the need to meet its statutory duties to adjudicate on complaints about breaches of the Codes of Conduct and to provide guidance, with other objectives. In doing so, it takes account of its resources and any risk and quality assurance considerations. The business plans are formally reviewed every quarter.

How we will monitor progress

The Standards Commission reports achievement against its business plans through its Annual Report and Annual Report and Accounts, both of which are laid before Parliament before being published on the website at **https://www.standardscommissionscotland.org.uk/corporate-info/annual-reports**. Achievement and progress is also monitored and reported through other mechanisms, including:

- Parliamentary scrutiny and scrutiny by the Auditor General for Scotland;
- Specific reports required by legislation and national guidance;
- Publication of minutes of Standards Commission meetings and other governance documents;
- The issuing and publication of quarterly standards updates;
- Using surveys to seek feedback from service users; and
- Stakeholder engagement, such as workshops and training events.

The Standards Commission publishes key performance indicators on its website. It formally reviews performance against these on a quarterly basis, with a full report of progress over the year being included in the annual report.

FUNDING AND COSTS

FUNDING: The Standards Commission is funded by the Scottish Parliament and submits an evidence-based budget for scrutiny and approval to the Scottish Parliamentary Corporate Body (SPCB) each year. The budget is based on planned actions arising from the requirements of the strategic and annual business plans, as well as projections of Hearings related activity.

Hearings are forecast using information relating to the previous year and, where available, projections provided by the ESC. The Standards Commission and the Scottish Parliament recognise, however, that it is not possible to accurately determine, before the start of any financial year, how many cases will ultimately be referred to the Standards Commission by the ESC and, of those referred cases, how many Hearings the Standards Commission will decide to hold. The costs incurred in holding Hearings continues to depend on a variety of unquantifiable factors, many of which are outwith the control of the Standards Commission, such as the location, potential duration of each Hearing and complexity of the complaint under consideration.

A significant increase in the number of cases referred to the Standards Commission or in the costs involved in conducting Hearings due to the factors outlined above could, therefore have a direct impact on our ability to deliver our statutory duties within budget.

The Standards Commission will endeavour to cover any unforeseen increase in demand and associated Hearing related costs by streamlining its procedures and making efficiency savings where possible. We may, however, have to seek additional resources in order to maintain our service and standards. We will liaise directly with the SPCB, should that be the case.

The Standards Commission's funding model does not provide for the holding of contingency funds. The Standards Commission has access, however, to contingency funding arrangements through the Scottish Parliament where required. The Standards Commission does not make provision for costs of any legal advice or representation required in respect of any appeal against one of its Hearing Panel's decisions, as it is not known whether any such appeal will be lodged and, if so, whether leave to appeal would be granted. We will, therefore, seek contingency funding to defend appeals. We may also seek additional funding for specific projects or initiatives, or for a one-off purchase, if there is a sound business reason for doing so.

The Standards Commission will exhaust any potential to absorb costs from its agreed budget before seeking contingency funding. We will also ensure that we advise the SPCB of any prospective request for such contingency funding at the earliest possible opportunity and will ensure any proposal is supported by a clear, well-reasoned and evidence-based business case.

COSTS: The indicative costs for the delivery of the Standards Commission's strategic aims, across the four years covered by the plan, are set out in the following table.

CATEGORY	Revised budget bid 2024/25	Indicative budget 2025/26	Indicative budget 2026/27	Indicative budget 2027/28
Staff costs	305,000	315,000	324,000	334,000
Staff related costs	16,000	16,000	16,000	16,000
Professional fees*	9,000	9,000	9,000	9,000
Running costs**	21,000	18,000	19,000	19,000
Total costs	**352,000**	**358,000**	**368,000**	**378,000**

* Professional fees include the external audit fee and fees for legal advice.

** Running costs include expenditure on information technology, public relations and the costs associated with hosting annual workshops for council Monitoring Officers and public body Standards officers.

The indicative costs are based on the following assumptions:

- No significant changes will be made to the Standards Commission's adjudication function, as outlined in the legislative framework;
- The average number of Hearings held per year will remain relatively constant;
- Service level agreements in place with the SPCB for the provision of property, information technology, internal audit and data protection officer services will continue;
- No changes will be made to the number of Members appointed by the SPCB;
- There will be no significant increase in Members' remuneration;
- Staffing numbers and grades will remain the same;
- Staff salaries will continue to align with the SPCB's grading and payscale structures, with cost of living pay increases applied.

CONCLUSION

The Standards Commission believes the role it has been given by statue can make a positive difference to public life and the achievement of the national outcomes. The Standards Commission invites anyone who shares its commitment to the promotion of high ethical standards to work with it to achieve our joint aims.

STANDARDS COMMISSION FOR SCOTLAND

INTEGRITY IN PUBLIC LIFE

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