



# Commissioner for Ethical Standards in Public Life in Scotland

## **Minutes of the Meeting of the Management Team** held on 20 June 2017 from 10.00 to 12.00 at Thistle House, 91 Haymarket Terrace, Edinburgh

### **Present:**

Bill Thomson, Commissioner for Ethical Standards in Public Life in Scotland, (BT)  
Ian Bruce, Public Appointments Manager (IB)  
Karen Elder, Business Manager, (KE)  
Brenda McKinney, Investigations Manager, (BM)

**Apologies:** David Sillars, Senior Investigating Officer, (DS)

### • **MINUTES**

#### 1.1 Approval of previous minutes

##### Decisions

- i. The minutes of the meeting held on 19 April 2017 were approved.

#### 1.2 Matters arising

All actions were completed except for the following:

##### Actions

- i. KE to create and publish the Disclosure Log listing all FOI requests processed.
- ii. KE to write to the SPCB, refreshing the witness expenses agreement.
- iii. KE to issue Holidays and Annual Leave policy for staff consultation and then publish.
- iv. KE to update Subject Access Request procedures.
- v. SPCB considering their role in office-holder whistle-blowing procedures w/c 6 February. Following SPCB response, KE to issue Whistle-blowing policy for staff consultation and then publish and IB to arrange training on the Whistle-blowing policy.
- vi. KE to update policies in line with ACAS guidance and consider amending further to reflect SPCB policy formats.

### • **POLICIES AND PLANS**

#### 2.1. Governance matters

- BT asked the meeting if there were any governance matters giving concern. No matters were raised.

## 2.2. Policies

- The meeting discussed the difficulties in managing the policy review schedule.

### Actions

- i. BT to pursue additional assistance with policy drafting and review.

## 2.3. Strategic Plan and Business Plan

- Public appointments report – 1 April to 8 June 2017
  - 24 rounds brought forward from 2016/17 (Prior year: 27). Five complete and 19 incomplete.
  - 32 new rounds were started during the year to date, with nil completed.
  - Currently 51 'live' rounds (PY: 38).
  - 28 reappointments notified to us (PY: 17).
  - 77 substantive issues raised (PY: 80).
  - No reports of a material breach of the Code of Practice have been made to the Scottish Parliament (PY: 0).
  - A PAA/PAT Communication will take place on 18 July 2017.
  - The new head of PAT has been invited to attend an induction session with BT, IB and the Public Appointments Officer.
  - Guidance was issued to all PAAs in respect of search consultant involvement in appointment rounds.
  - IB gave presentations for the regional colleges' governance meeting and the regional colleges secretaries meeting about their potential participation in the diversity research project
- Public standards report – 1 April to 31 May 2017
  - Complaints about LA councillors/member of public bodies.
    - 20 complaints /15 cases received (PY: 26/14)
    - 28 complaints /20 cases completed (PY: 57/20)
    - 48/29 complaints/cases in progress
    - 3 hearings concluded
    - 4 hearings scheduled
  - Complaints about MSPs
    - 6 complaints/5 cases received (PY: 8/6)
    - 5 complaints /4 cases completed (PY: 2/2)
    - 5 complaints in progress
    - 1 breach was reported to the Scottish Parliament
  - The volume of post decision correspondence continues to be substantial.
  - Revised Investigation Guidelines almost finalised – awaiting GDPR section.
  - New 'Initial Office Assessment (IOA)' procedures have been introduced to better manage resources.
  - The records management 'Retention Project' is well underway.
- Utilising the 2016/17 risk register and the Annual Business Plan for 2017/18, the meeting considered the risks to the business during this financial year.

### Actions

- i. BT, IB and KE to update the risk register. KE to finalise and circulate.

## 2.4. Continuous improvement

- Since the previous MTM, two consultations have been received. After consideration, no responses will be offered. No other responses have been issued.
- This meeting previously agreed to recording SPSO decisions about our work in the 'Complaints About Us' database. Further work is required

to ensure clarity about which database is to be used and what is being recorded.

- Five FOI and one subject access request have been received. Responses have been or will be issued in good time. The ICO, in deciding an appeal to them, clarified the position of interview notes.

Actions

- i. HH to inform Casework Co-ordinators and amend Investigation Procedures regarding recording SPSO decisions. HH to ensure new 'Complaints About Us' database operational and review input of recent complaints.

- **RESOURCES AND PERFORMANCE**

3.1. Finance

- The 2017/18 budget is currently on track, although IO costs continue to be high. New assessment procedures have been introduced and activity levels have reduced which should be reflected in the budget in coming months.
- External audit for 2016/17 is nearing completion. The onsite audit is complete and the final draft accounts will be issued to the auditors on 30 June. The Advisory Audit Board meeting is scheduled for 14 August.

3.2. Staffing

- David Sillars, the Senior Investigating Officer is retiring. The Commissioner will formally thank David for his contribution to the office after the July IO meeting.

3.3. Accommodation

3.4. IT

- The SPCB has approved a bid for contingency funding for a replacement complaints management system. Work to procure, develop and implement the system will now proceed.
- A revised website tender timetable has been prepared.

Actions

- i. KE, IB and AL to meet to discuss website tender.

3.5. Other active projects

- The final draft of the annual report and accounts will be prepared by 30 June. The content is to be transferred to an interactive PDF. Visuals for the interactive report are being prepared. Content must be transferred and published by 31 October 2017.
- The General Data Protection Regulations apply from May 2018. Implementation will require significant work. Initial project planning is underway.

Actions

- i. KE to circulate annual report visuals once received.
- ii. KE to circulate project plan and arrange meeting of key staff.

- **AOB**
  - It is proving difficult to transfer the Commissioner's 0300 from the previous IT support supplier to the new contractor. The meeting agreed to a new 0300 number if transfer attempts cannot be resolved.
  - Quotes for a replacement photocopier have been received and an order will be placed.

Actions

- iii. KE to pursue the transfer or replacement of the 0300 number.
- iv. KE to order new photocopier.

- **FUTURE MEETINGS**
  - 10.00 Wednesday, 9 August (HH)
  - 10.00 **Tuesday**, 10 October (BM)
  - 10.00 Wednesday, 13 December (HH)
  - 10.00 Wednesday, 14 February (HH)
  - 10.00 Wednesday, 11 April (BM)



17.8.17

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Chair of meeting  
Bill Thomson, Commissioner for  
Ethical Standards in Public Life in Scotland

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Date of Approval