



# Commissioner for Ethical Standards in Public Life in Scotland

## **Minutes of the Investigating Officers Meeting**

held on

21 December 2016 from 10.15 to 12.00  
at Thistle House, 91 Haymarket Terrace, Edinburgh

### **Present:**

Bill Thomson, Commissioner (BT)  
David Sillars, Senior Investigating Officer (DS)  
Douglas Winchester, Investigating Officer (DW)  
Jon Miller, Investigating Officer (JM)  
Claire Gilmore, Investigating Officer (CG)  
Ian Mackay, Investigating Officer (ITM)  
Ian Innes, Investigating Officer (II)  
Karen Chambers, Investigating Officer (KC)  
Ruth Hogg, Investigations Manager (RH)  
Brenda McKinney, Investigations Manager (BM)  
Amy Lawson, Casework Co-ordinator (AL)

**Apologies:** Ralph Noble

### **1. MINUTES OF PREVIOUS MEETING AND MATTERS ARISING**

- 1.1 Minutes of the meeting held on 12 October 2016 were approved.
- 1.2 HH discussed the anonymising of data in the Commissioner's office, including which details we should retain, and for how long, bearing in mind the new data protection requirements being introduced in 2018. . BT welcomed the range of view expressed and agreed to finalise with HH at a later date.

### **2. INVESTIGATIONS GUIDELINES REVIEW**

- 2.1 RH reported that she was working with BT to review the current guidelines, which were now substantially out of date. It is planned that there will be a revised document for comment at the next IO meeting.

### **3. ARTICLE 10 ECHR**

- 3.1 To be discussed later in proceedings.

### **4. COMPLAINTS HANDLING**

- 4.1 Discussion deferred.

### **5. REVIEW OF CURRENT COMPLAINTS/CASES – COUNCILS AND PUBLIC BODIES**

**Commissioner for Ethical Standards in Public Life in Scotland**

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- 5.1 Targets and Statistics: BM reported a slight improvement regarding timescales in the completion of complaints.
- 5.2 CG and KC brought up the new initial assessment of complaints procedure in the office and how the initial response date has changed. A discussion followed.
- 5.3 Report on cases in progress: Current cases were discussed.

## **6. RECENT/UPCOMING HEARINGS**

- 6.1 LA/WD/1879 - This hearing was presented by BT – Councillor Rainey was censured.
- 6.2 LA/WL/1882 and NHS/Lo/1872 – This hearing was presented by CG – Councillor Toner was censured.
- 6.3 LA/Fa/1799 – This hearing was presented by CG – Councillor Nimmo was censured.
- 6.4 LA/AC/1876 – This hearing will be presented by ITM on 24 January 2017.
- 6.5 NB/SFRS/1919 – This hearing will be presented by DS on 23 February 2017.
- 6.6 BT advised that Ian Gordon would come to the end of his term of office as chair of the Standards Commission at the end of January 2017. Kevin Dunion has been appointed as the new chair, and recruitment of 2 new members was in progress.

## **7. REVIEW OF CURRENT COMPLAINTS/CASES – MSPS**

- 7.1 DW updated the meeting on current cases.

## **8. ANY OTHER BUSINESS**

- 8.1 A discussion regarding Article 10 of the ECHR followed.

## **10. FUTURE TOPICS FOR DISCUSSION**

- Format of report/Note of Decision (BT)
- Article 10 ECHR (invite HR Commission)
- Taking Witness Statements (current issue)
- The new lobbying regime (DW)
- SC guidance on the Code (item to be discussed at a later date)

## **11. DATES FOR FOLLOWING MEETINGS**

1 February 2017  
15 March 2017

*Bill Thomson*

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

15/03/17  
Date of Approval