

Ethical Standards Commissioner

STRATEGIC PLAN 2024-2028

Ethical, empathetic, effective

How we'll
fulfil our role
in public life
in Scotland

ESC

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CONTENTS

	Page
Commissioner's foreword	3
Our purpose, our values and our strategic objectives	5
Overview of the Commissioner's plans and priorities	7
Our statutory functions	8
About the Commissioner's office	10
Our oversight and reporting lines	11
Operational context	12
Contribution to national performance framework	13
Equality, diversity and inclusion	13
Our strategic objectives and goals	14
How we will report on progress	23
Costs	24
Our structure	27
Timeframe	28
Appendix 1 – Statutory provisions	29
Appendix 2 – What we do	30
Appendix 3 – Individuals and organisations consulted	31
Appendix 4 – Communications strategy	36
Appendix 5 – Measuring progress	38

Following consultation, this plan was laid before the Scottish Parliament by the Commissioner for Ethical Standards in Public Life in Scotland as required by section 14 of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010. The laying reference is CES/2024/01.

COMMISSIONER'S FOREWORD

I was appointed Ethical Standards Commissioner by the Scottish Parliament on 1 March 2023 and this is the first strategic plan that I have produced in that capacity. I plan to build on the strong foundations that I established whilst still Acting Commissioner and to work effectively and with integrity to earn the trust that has been placed in me.

My office is a statutorily independent one, not subject to direction or control by the Scottish Parliament itself or by the Scottish Ministers. Some of the earliest primary legislation passed by the Scottish Parliament were Acts that related directly to standards in public life in Scotland. The legislation conferred functions on my office, and those of my predecessors, all intended to uphold those standards. The legislative framework that my office operates within demonstrates that the Scottish Parliament takes standards in public life in Scotland very seriously. That in turn is predicated on the understanding that trust in standards of conduct on the part of those elected or appointed to serve the public is fundamental to a well-functioning democracy¹. Part of our role is educational in nature, helping those in public life to understand why the principles of public life in Scotland matter and what difference following them makes to society. We will work alongside the Standards Commission for Scotland, the Scottish Government and the Scottish Parliament towards this same end. We understand the need to follow, and model adherence to, these principles ourselves and have included them in the body of the [Code of Practice](#).

My role is to investigate, without fear or favour, complaints about lobbying, the conduct of MSPs, local authority councillors and public body board members. I report on my findings to other bodies, such as the Scottish Parliament itself in the case of MSPs and lobbyists and the Standards Commission for Scotland in the case of councillors and board members. These bodies then take their own view on whether a breach of the rules has occurred and, when it has, apply an appropriate sanction.

Our office is part of a system of checks and balances intended to both promote good conduct and to hold individuals to account when that conduct falls short of what is expected. Each part of this system has to work effectively in order for the public to have trust in it.

We also oversee the system made to appoint chairs and board members to the majority of the boards of public bodies in Scotland. Whilst not elected, the members of the boards of over 100 regulated public bodies in Scotland are responsible for providing the governance oversight of vital services that affect us all. These touch every aspect of our lives; from health to housing, the environment to education, the economy to enterprise, the creative and cultural sectors and justice and policing to public transport. Each board within its different sector and particular remit provides strategic direction, scrutiny of performance and of course, stewardship of significant amounts of public money. It is in everyone's interests that these important public bodies are led by people who have a diverse range of the most appropriate skills and experience, who act with independence of thought, integrity and commitment and who are reflective of Scotland's geography, demography and breadth of experiences and insights.

¹ <https://lordslibrary.parliament.uk/standards-in-public-life-and-the-democratic-process/>

Our role is to promote good practice in the making of these appointments, to encourage and enable improvements in board diversity and to report publicly when such practice isn't followed. Such reports present the Scottish Government and ourselves with opportunities to learn and improve on the appointments process.

This plan aims to inform MSPs, local authority councillors, public body board members and, of course, the people of Scotland, upon whose trust every elected individual and public authority relies, about what we will do in the coming years. The plan sets out more detail on how we will communicate with our various stakeholders in [Appendix 4](#). Just as importantly, it explains how we will fulfil our role in accordance with our core values. We recognise that many of the people who come into contact with us may be unhappy, aggrieved or upset. We have made a public commitment to treat each individual who comes into contact with us with kindness, empathy and respect. We are now surveying complainers and respondents, on an anonymous basis, on their experience of interacting with our office and on whether we are upholding these values. We have committed to publishing the results. We are also committing in this plan to survey our stakeholders to gather their views on how effectively we fulfil our role.

This plan also provides a link to an [associated document](#), which sets out the range of other metrics that we have adopted or plan to adopt to measure our performance and which we will use to demonstrate the value of our own contribution to public life. Our overarching objectives and goals are all translated into a rolling two-year business plan for the office and individual action plans for each section of the office and each staff member. These contain the detail on what has to be achieved, by when and by whom. We explain in this plan how and in what way they will contribute to the overarching objectives and to the ultimate outcomes that we intend to achieve.

I am grateful to the individuals and organisations who took the time to provide comments and constructive feedback on this plan whilst it was subject to consultation. A full list is provided in [Appendix 3](#). We are dedicated to continuous improvement and I am always happy to listen to individuals and organisations who have thoughts about the ways in which we can do better.



Ian Bruce
Ethical Standards Commissioner
28 March 2024

OUR PURPOSE, VALUES AND STRATEGIC OBJECTIVES

OUR PURPOSE

- To investigate without fear or favour complaints about lobbying and about the ethical conduct of MSPs, councillors, and board members in public life in Scotland, through timely, proportionate, evidence-based investigations, and to report openly and transparently on our findings.
- To oversee public appointments in Scotland providing assurance that such roles are filled on merit, following a fair, respectful, open and inclusive appointments process that also ensures that those appointed are fit and proper persons.
- To facilitate good practice in public appointments, in Scotland and more widely, through guidance and support for Scottish Ministers and others.
- To run an effective parliamentary office-holder's office in accordance with our values and the principles of public life, good governance and best value.

OUR VALUES

- We will conduct all of our activities in an ethical way, characterised by effective stewardship of public money, accountability, honesty, integrity, propriety, fairness and transparency.
- We will treat each individual and organisation that comes into contact with us with empathy, kindness and respect, recognising that we must earn their trust and ensure that our commitment to equality, diversity and inclusion informs all of our work.
- We welcome constructive criticism and challenge. If we get things wrong we will remedy our errors and learn from these in order to improve our future performance.

OUR STRATEGIC OBJECTIVES

1. We will engage meaningfully with our stakeholders and the public to promote high standards in public life and adherence to the principles of public life in Scotland. We will take on board feedback, listen to others' views and work constructively to improve our systems and processes.
2. We will ensure that we have sufficient staff and resources in place to deliver on all of our objectives, building resilience and flexibility across roles and remits. We will also work with other Parliamentary Officeholders with a view to embracing efficiency and innovation through shared services. We value people and recognise that unless we have staff who are valued and supported to maintain their wellbeing, feel happy in and proud of our work and the way in which we do it, we will have failed.

3. We will ensure that our staff are properly trained, supported and developed to fulfil the requirements of their role and their career progression.
4. We will make the best use of up to date and secure digital technology to support our work, enhance our users' experience and safeguard our systems.
5. We will operate highly efficient and effective complaints handling processes that deliver consistent, evidence-based responses: ensuring fair and trusted outcomes.
6. We will ensure appropriate systems of governance, quality review frameworks and robust external accreditation are in place, providing assurance to the public and stakeholders that our objectives are being met. We will also demonstrate our commitment to acquitting our environmental and social responsibilities.
7. We will contribute significantly to the maintenance of an effective ethical standards framework through supportive and constructive engagement with equivalent bodies both here and in other administrations.
8. We will, through supportive and constructive regulation, make a significant contribution to a public appointments system that produces effective and diverse boards that are reflective of the communities that they serve.
9. We will strive to be recognised leaders in the regulation of a system that is effectively run to achieve the appointment of the most able people to our boards and that is managed in compliance with the highest ethical standards.

OVERVIEW OF THE COMMISSIONER'S PLANS AND PRIORITIES

Some of the key changes we plan to deliver are:

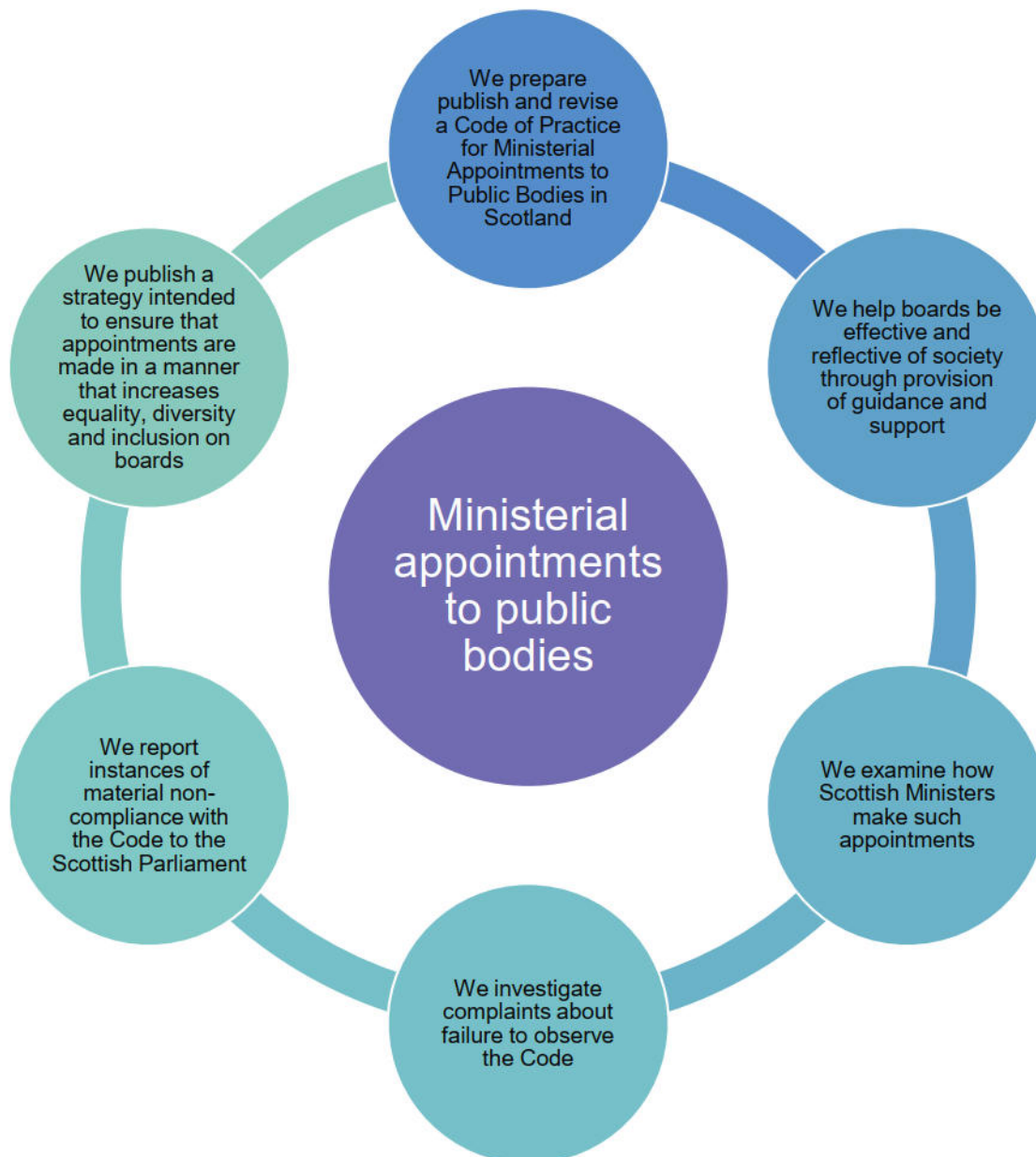
- More meaningful and constructive engagement with the media, the public, the Scottish Ministers, the Scottish Parliament, the Standards Commission for Scotland, MSPs, public body board members, local authority councillors, monitoring officers and representative organisations such as COSLA, SOLAR and SOLACE to inform and shape our work and our performance.
- Greater assurance on quality via new, revised and additional targets/KPIs, indicators and review systems, covering all aspects of our work, all of which we have consulted on and published.
- Even more robust governance arrangements designed to oversee and ensure delivery of our strategic objectives and that we are acquitting our functions and statutory and environmental and social obligations appropriately
- Working with other Parliamentary Officeholders with a view to embracing efficiency and innovation through shared services.
- Developing staff to ensure consistent high quality of our professional skills base, our knowledge and expertise in the topics that we are responsible for regulating and demonstrable adherence to our values as an office.
- More efficient and effective complaints handling via a streamlined, quicker and higher quality service.
- Maintaining and regularly updating a coherent, comprehensive suite of procedures covering our appointments and investigatory work, which we'll publish and refresh on our website so people know what to expect. We will ensure that all information is published in a format that is accessible and easily understood.
- Revising Diversity Delivers, the strategy intended to improve on the diversity of Scotland's public body boards through equality of opportunity and inclusion, and overseeing and assisting with the implementation of its recommendations.

OUR STATUTORY FUNCTIONS

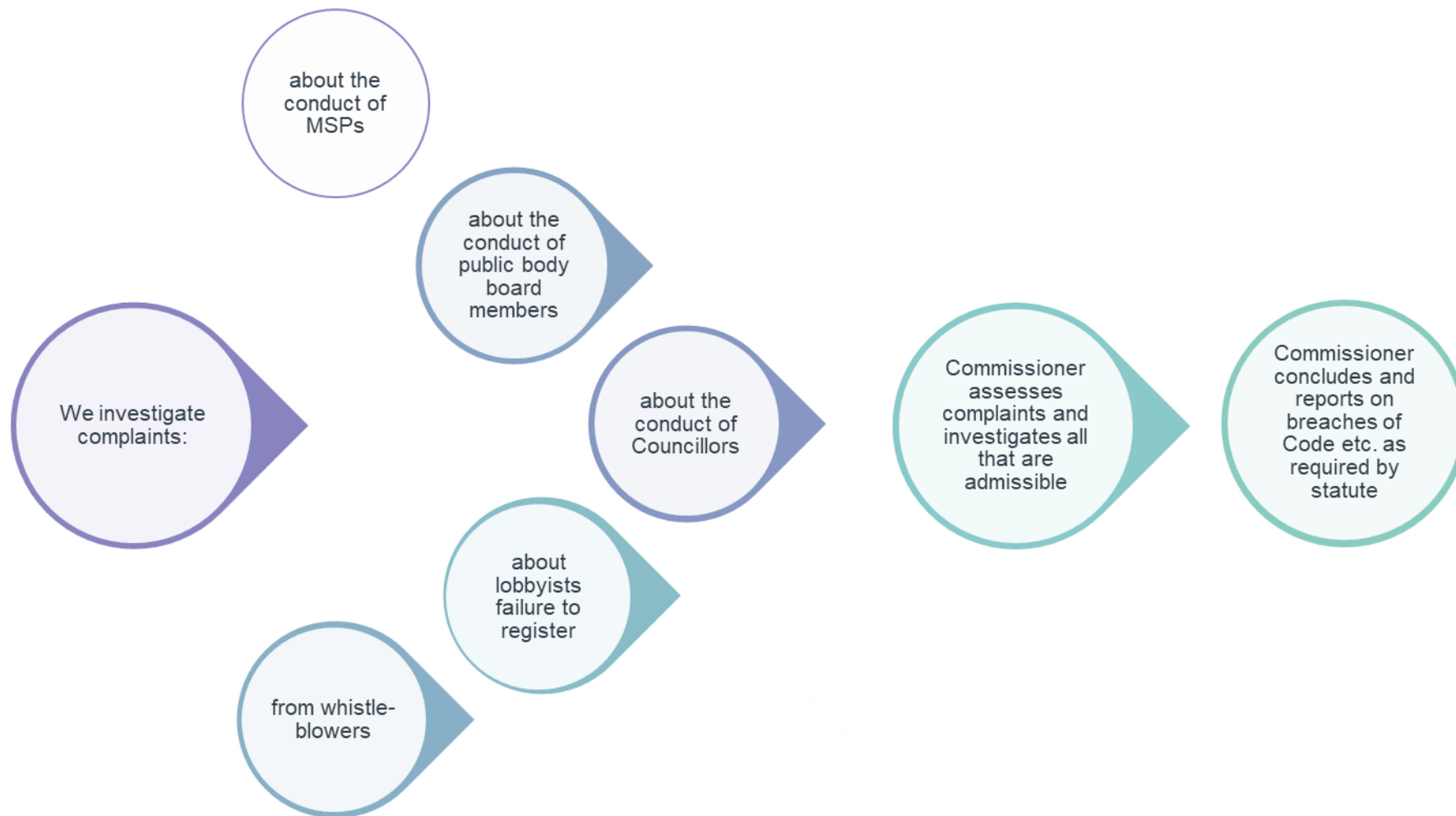
The Commissioner has a broad range of statutory functions which can be summarised as:

- regulation of ministerial appointments to public bodies
- complaints handling

REGULATION OF MINISTERIAL APPOINTMENTS TO PUBLIC BODIES

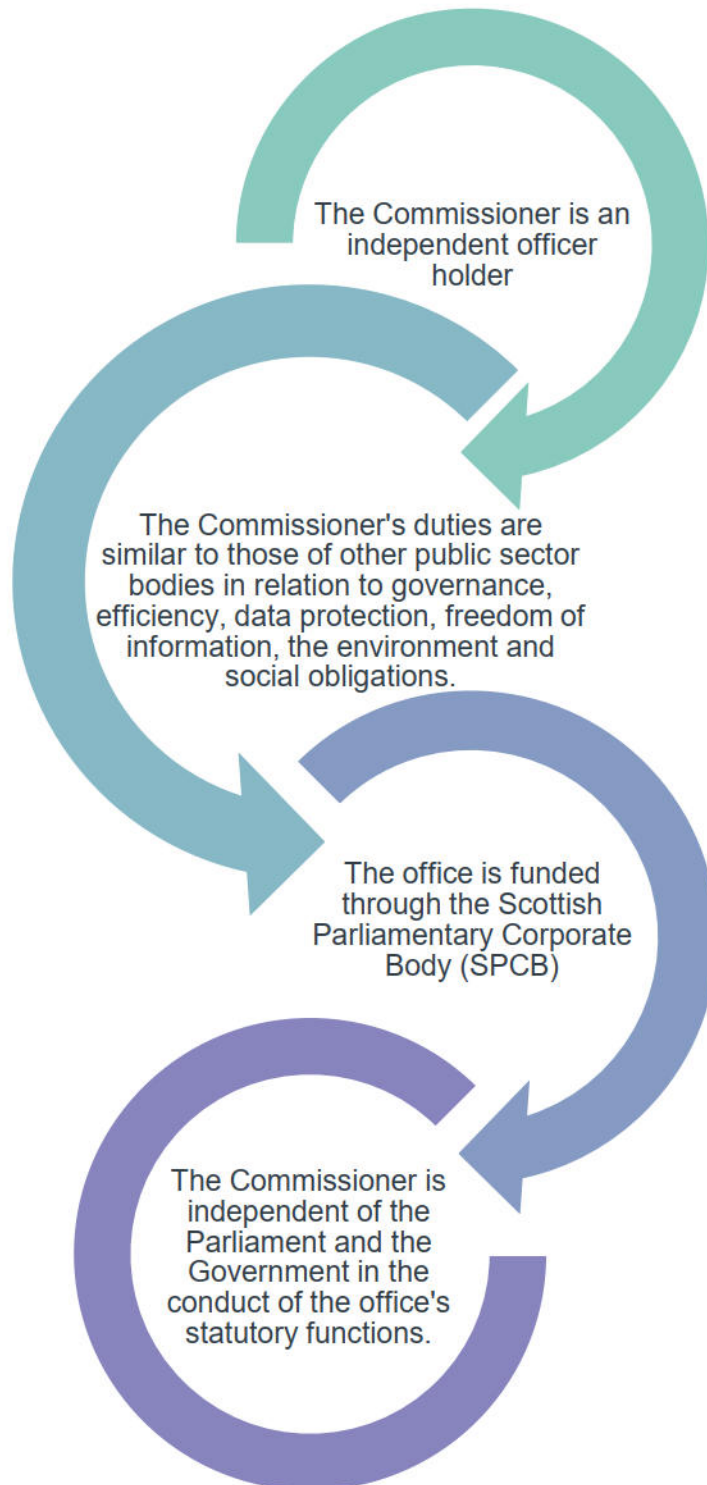


COMPLAINTS HANDLING



The Commissioner's remit is statutory. All relevant statutes are listed in [Appendix 1](#) and further detail about our functions is provided in [Appendix 2](#).

ABOUT THE COMMISSIONER'S OFFICE



OUR OVERSIGHT AND REPORTING LINES

Reporting to		Oversight from
<p>Where we find a breach, we report on</p> <ul style="list-style-type: none"> • complaints about the conduct of an MSP, • complaints about lobbying, and • complaints that an appointment process didn't comply with the Code of Practice. <p>We report on the appointment practices employed by the Scottish Ministers to provide assurance and ensure transparent oversight.</p> <p>All our reports are intended to enable and encourage continuous improvement in our own work and that of the organisations that we regulate.</p>	<p>Scottish Parliament's Standards, Procedures and Public Appointments Committee</p>	<p>Provides oversight of our work (statutory functions).</p>
	<p>Scottish Parliamentary Corporate Body</p>	<p>Provides oversight of our budget, staffing and resourcing as well as aspects of our governance and conduct.</p>
	<p>Scottish Parliament's Local Government, Housing and Planning Committee</p>	<p>Provides oversight of our work (statutory functions).</p>
<p>The Auditor General for Scotland can report concerns about our governance.</p>	<p>Scottish Parliament's Public Audit Committee</p>	<p>Provides oversight of our work (governance).</p>
<p>When we conclude our investigation, we report on</p> <ul style="list-style-type: none"> • Complaints about the conduct of a councillor or board member. 	<p>Standards Commission for Scotland</p>	<p>Can issue statutory Directions to us in respect of our functions relating to councillor and board member conduct.</p>
<p>Complaints about us relating to maladministration.</p>	<p>Scottish Public Services Ombudsman</p>	
<p>We provide feedback and guidance on both good practice in making appointments and poor practice. This encourages and enables continuous improvement.</p>	<p>Scottish Ministers</p>	

OPERATIONAL CONTEXT

Our office operates in a demand driven environment, with the volume of public appointment rounds and incoming complaints both fluctuating over time. During the period covered by this strategic plan, we intend to conduct research with a view to assessing whether certain factors lead to increases or decreases in the demands placed upon us. This should assist us to plan more effectively in future for spikes and troughs in activity. In the meantime, we are still working to reduce the time taken to conduct an initial assessment of complaint cases in the queue, although this had already significantly reduced following the recruitment and induction of new investigations team members.

What we do know is that there is an overall trend in increasing complaints about discourtesy and disrespect on the part of MSPs, board members and councillors in particular, including when using social media. We do not anticipate that this trend will diminish, unless, alongside the Standards Commission for Scotland, the Scottish Parliament, the Scottish Government and other key stakeholders, we can leverage the ethical standards framework to encourage more respectful debate on matters of public interest. This will be challenging, given that heated debates on contentious issues are increasingly polarised.

We recognise also that public trust in those who are elected to serve has been eroded during the period of our last strategic plan. We intend to do more to publicise our work in the coming years with a view to providing assurance about the integrity of the public appointments process and ethical conduct in Scotland more generally.

Our working practices changed significantly during the Covid pandemic, with staff working exclusively remotely for extended periods during lockdown. We have gradually adopted a flexible approach to accommodate staff preferences. Based on a survey of those preferences, we are now hybrid working, with a mix of physical attendance and remote attendance the norm. We have revised our physical office and ICT arrangements to reflect these practices and will continue to monitor the situation for the period of this plan, as they have ramifications for our accommodation needs, our productivity and our environmental and social impact.

We also face the same challenges as all public sector organisations and as reflected in our register of key operational risks for our office. Threats to our cybersecurity are increasing, so our maintenance of Cyber Essentials plus accreditation remains vital, as do the other measures we have taken to mitigate the risk of such attacks. Public sector financial constraints also mean that we must engage with other Parliamentary Officeholders with a view to driving efficiency through shared services.

CONTRIBUTION TO NATIONAL PERFORMANCE FRAMEWORK

The Commissioner's activities are relevant to the people, prevention, performance and partnership elements of the [Scottish Government's reform agenda for public services](#).

- The existence of an independent body responsible for investigating and reporting on alleged breaches of the various codes of conduct contributes to prevention and to performance, and to the maintenance of public confidence in the ethical standards observed by many institutions which are responsible for the development and implementation of public policy and for the delivery of public services.
- The Commissioner's public appointments work, and in particular the role of the Public Appointments Advisers (PAAs) and the Commissioner's engagement with the Scottish Government officials tasked with enhancing board appointments and governance, contributes to the people, performance and partnership elements of the reform agenda, and to the wider [human rights](#) outcome by promoting equality of opportunity and diversity in the public appointments process. Because our work involves oversight of public appointments to an extensive range of boards, and thereby to their effective governance, we also contribute indirectly to the other outcomes. By way of example, oversight of appointments to all NHS boards contributes to the [health](#) outcome. We are also committed to equality, diversity and inclusion in our own work, in our interactions with others and in relation to our staff. Assurance that appointments are made on merit and that the process secures diverse boards also contributes to performance against the framework. Good governance of our public bodies will not be attained without diverse boards populated by people who are effective in their roles and reflective of the communities that they serve.

EQUALITY, DIVERSITY AND INCLUSION

- As with other public authorities, the Commissioner's office is subject to the Public Sector Equality Duty (PSED). Equality and the PSED are at the heart of and inform all of our work. We will ensure all staff know how to meet the duty in their work, so they can carry out their roles effectively. We will also collect and analyse demographic data and qualitative views to ensure that our policies and practices are equitable and meet the needs of people, regardless of the protected characteristics that they share. Additionally, we will monitor and report on the extent to which public body boards and those who apply for roles on them are reflective of the demographic make-up of the Scottish population.

OUR STRATEGIC OBJECTIVES AND GOALS

- 1. We will engage meaningfully with our stakeholders and the public to promote high standards in public life and adherence to the principles of public life in Scotland, listening to others' views and working constructively to improve our systems and processes.**

To achieve this, we will:

- a) develop and ensure each team understands key messages for stakeholders.
- b) develop a stakeholder engagement plan, using the Boston Matrix² approach.
- c) develop a programme of activity with key stakeholders inclusive of training on and promotion of the principles of public life in Scotland for those already in public life and those considering it.
- d) increase opportunities for stakeholders to provide feedback to us through online surveys, including anonymous stakeholder surveys, focus groups etc. and report publicly on the results.
- e) ensure we communicate effectively with all stakeholders, using plain English wherever possible, and other accessible methods such as Easy Read, BSL and video.
- f) ensure we are as accessible as possible to complaint users and others, regularly reviewing our approach and making reasonable adjustments wherever required.
- g) listen and take account of the feedback received from stakeholders using the methods above, and reporting transparently on the results and actions taken to improve our systems and processes and, where not taken, why not.

² Boston Matrix is a tool to help identify and categorise stakeholders in a clear and consistent manner.

- 2. We will ensure that we have sufficient staff and resources in place to deliver on all of our objectives, building resilience and flexibility across roles and remits. We will also work with other Parliamentary Officeholders with a view to embracing efficiency and innovation through shared services. We value people and recognise that unless we have staff who are valued and supported to maintain their wellbeing, feel happy in and proud of our work and the way in which we do it, we will have failed.**

To achieve this, we will:

- a) ensure a robust workforce plan is in place to provide resilience and sufficient resources within all teams that sets out clear strategies for workforce profiling, succession planning, sickness absence, role progression and recruitment.
- b) ensure a bespoke Standard Operating Procedure³ (SOP) is in place covering all key processes within each team.
- c) ensure an appropriate Scheme of Delegation⁴ (SoD) is in place within each team.
- d) map out and explore opportunities for cross functional working across the different sections of the office.
- e) review sufficiency of current arrangements (modelling of capacity in teams based on different parameters in complaint volumes, appointment activity and other core functions).
- f) have each section of the office contribute to budgetary submissions to the Scottish Parliamentary Corporate Body (SPCB) to ensure appropriate resources are in place to continue to meet demands.
- g) engage regularly with other Officeholders to explore options for pooling and sharing expertise and resources.
- h) ensure continuing external wellbeing support is available for staff.
- i) survey staff on their wellbeing and act on the results.
- j) achieve one or more accreditations to recognise our status as a good employer.
- k) improve employee experience through the use of streamlined HR processes and systems.
- l) improve employee voice and engagement to build on the strong sense of community within ESC.

³ An SOP (Standard Operating Procedure) is a set of written instructions that describes the step-by-step process that must be taken to properly perform a routine activity.

⁴ A SoD (Scheme of Delegation) is a reference document intended to set out where responsibilities and accountabilities lie within a structure.

3. We will ensure that our staff are properly trained, supported and developed to fulfil the requirements of their role and their career progression.

To achieve this, we will:

- a) provide appropriate line manager training to ensure appropriate support for each staff member by way of regular performance review conversations.
- b) ensure office wide training is available as required and each team has capacity to participate.
- c) develop a bespoke personal development plan for each staff member.
- d) identify areas for development and ensure all staff have access to on-going training and development relevant to their work.
- e) ensure all staff have opportunities to undertake peer reviews and other types of quality assurance work as part of their on-going career development.
- f) Identify appropriate sources to provide training and ensure funding in place.
- g) Utilise the wide range of skills available within the PAA team to facilitate organisational and individual training and development.
- h) provide opportunities for professional development in specialised areas (eg paralegal, governance, application of Articles of the European Court of Human Rights and associated case law, recruitment and selection and equality, diversity and inclusion etc).
- i) provide opportunities for staff to attend relevant conferences and webinars etc both on-line and in person.
- j) ensure performance management framework is in place, kept updated and adhered to in supporting and developing staff.

4. We will make the best use of up to date and secure digital technology to support our work, enhance our users' experience and safeguard our systems.

To achieve this, we will:

- a) adopt scalable systems – adaptable to staffing changes and scope of business.
- b) enhance the fully hybrid working experience (e.g. same for everyone no matter location; removing remote desktop).
- c) develop a user IT reference and support hub (ESC's own KnowledgeHub).
- d) develop systems that work with the team, not against.
- e) develop resilient systems with minimum downtime which are data secure/safe.
- f) migrate to the Cloud; this would involve transferring all data and some systems currently held on the server to M365/Sharepoint.
- g) maintain Cyber Essentials+ accreditation.
- h) update the website to ensure secure and enhanced experience (upgrading and introducing 2 Factor Authentication).
- i) make improvements to our existing Complaints Management System (CMS) to ensure it better supports the standards team to work more efficiently.
- j) explore options to replace the CMS, including engaging with potential suppliers and develop a bespoke specification that meets the future requirement of a complaints management system.
- k) develop new approaches to improve the retention and deletion of records and ensure existing records are managed in accordance with records management policies.
- l) ensure all staff engage in and are regularly trained on and familiar with guidance on all aspects of cyber security and other digital matters relating to their role.

5. We will operate highly efficient and effective complaints handling processes that deliver consistent, evidence-based responses: ensuring fair and trusted outcomes.

To achieve this, we will:

- a) clear the cases that have waited over two months for initial assessment and put in place Key Performance Indicators (KPIs) to drive greater efficiency in case disposals.
- b) ensure systems in place to prevent a backlog arising and systems in place to clear a backlog where one arises and monitor any impact that this may have on the quality of investigations carried out.
- c) continue to manage a robust system of proactive complaint management that efficiently organises new complaints, so they are either dismissed, redirected or readied for assessment.
- d) ensure all complaints and cases continue to follow all relevant stages set out in the Investigations Manual but adopting a flexible approach to ensure that investigatory activity is proportionate to the facts and circumstances of each case.
- e) review, revise and update the Investigations Manual on a regular basis and seek opportunities for appropriate third-party peer review on an annualised basis.
- f) develop additional outputs to sit alongside the manual as required, such as the creation and maintenance of a KPI tracker to monitor and report on KPIs.
- g) monitor and report on performance through use of KPIs with a view to either meeting or exceeding stretch targets⁵.
- h) provide refresher trainer to all staff on the investigations manual.
- i) seek new ways of working which enhance efficiency, effectiveness and quality of our work as part of our commitment to continuing improvement.
- j) benchmark our investigations procedures and KPIs from equivalent external bodies and ensure they are externally validated.
- k) conduct research to identify trends in public appointments and complaint volumes and report publicly on our findings. Use the results of that same research for strategic and business planning purposes.

⁵ We will revise our KPIs on an ongoing basis to make them more challenging to achieve, with a view to driving up quality and speed of investigations.

6. We will ensure appropriate systems of governance, quality review frameworks and robust external accreditation are in place, providing assurance to the public and stakeholders that our objectives are being met. We will also demonstrate our commitment to acquitting our environmental and social responsibilities.

To achieve this, we will:

- a) develop a single governance framework document.
- b) ensure that risks are identified and managed in accordance with our policies and procedures.
- c) develop a robust policy management process to ensure that no policy is “stale” and all are reviewed within stated timescales.
- d) improve retention and deletion of records – meeting legal obligations and streamlining processing of information requests.
- e) develop and put in place a quality assurance framework covering hot, cold and peer reviews⁶ covering all aspects of the office’s activities.
- f) introduce Root Cause Analysis (RCA) techniques to identify and resolve underlying cause of a particular issue.
- g) report publicly on the outcomes from quality reviews.
- h) take forward a programme of work designed to ensure that our decision-making is in keeping with relevant case law, precedents and the decisions of relevant adjudicatory bodies, so we can evidence that the approach to our work remains consistent and stands up to external challenge.

⁶ From a standards team perspective, a hot review would be conducted during the course of a live investigation. A cold review would be conducted on a completed investigation and where the report has been issued. Peer reviews are used in relation to key stages of an investigation. All types of review would focus on compliance with certain aspects of the investigations manual and on quality assurance and consistency of approach.

7. We will contribute significantly to the maintenance of an effective ethical standards framework through supportive and constructive engagement with equivalent bodies both here and in other administrations.

To achieve this, we will:

- a) engage with other Commissioners in the UK and other bodies with similar functions for learning and to share good practice.
- b) work alongside the Standards Commission for Scotland to develop and deliver training, support and guidance for councillors and board members.
- c) engage with COSLA, SOLAR, SOLACE and monitoring officers with a view to driving better conduct in public life.
- d) provide opportunities for staff to stay updated with case and legislative developments in the ethical standards framework.
- e) respond to or engage with future consultations and opportunities to input views to revisions/updates to the ethical standards framework and related topics both here in Scotland and further afield.
- f) ensure constructive feedback from our stakeholders is recorded, considered and, where applicable, implemented to improve how we work.

8. We will, through supportive and constructive regulation, make a significant contribution to a public appointments system that produces effective and diverse boards that are reflective of the communities that they serve.

To achieve this, we will:

- a) continue to support implementation of the 2022 Code of Practice, through supportive and constructive regulation, encouraging a learning mindset from all who are involved in making appointments, to develop and utilise good practice and innovation.
- b) report publicly on the difference that the Code of Practice is making to the appointments process, for good or bad, with a view to improving on practices. We will do so by publicising instances of good practice or innovative practice and learning as well as areas for improvement.
- c) seek to understand through our research the difference that board appointments make to the governance of the public body and the difference that diversity brings.
- d) seek to monitor and report on compliance with the Code of Practice by way of research and thematic reviews. This will include, for example, an examination of published time commitment, remuneration and other aspects of the role of public appointees, building on previous research undertaken. We will report publicly on our findings.

9. We will strive to be recognised leaders in the regulation of a system that is effectively run to achieve the appointment of the most able people to our boards and that is managed in compliance with the highest ethical standards.

To achieve this, we will:

- a) consult extensively on and revise and republish Diversity Delivers (including new recommendations for the achievement of greater board diversity).
- b) develop our own learning and understanding about great practice in recruitment and selection by reaching out to other organisations and administrations and by conducting our own research.
- c) share our findings through the provision of guidance.
- d) ensure that our PAAs can cascade that guidance to selection panels by keeping them updated on the latest good practice in the making of appointments.

HOW WE WILL REPORT ON PROGRESS

We will report progress against the strategic plan through our:

- Annual Report and Accounts
- Regular publication of minutes of Senior Management Team meetings at which progress will be discussed and recorded
- Publication of progress against all activities and goals set out below the strategic objectives listed above in the form of biennial business plan progress reports. This is a rolling two-year business plan; we report on progress in the prior year annually.

The annual report and minutes will also set out progress against the published business plan.

The biennial business plan sets out the activities of the organisation and how they support the delivery of our strategic objectives. The plan is a mixture of regular business as usual activity as well as actions to deliver specific pieces of work. It will include references to operational performance indicators, targets, monitoring mechanisms and quality standards for the organisation. We recognise that we must have clear metrics for all of our proposed goals. These are published in a separate annexe to this plan alongside an explanation for why they have been adopted and why we consider they represent a reasonable measure of success or failure, as appropriate.

These will be reviewed annually on a rolling basis.

Progress will also be reported via the following channels, with all publications available on our website and highlighted on social media as appropriate:

- Reports and evidence to the relevant subject committees of the Scottish Parliament
- Specific reports required by legislation and national guidance
- Special reports
- Publications of documents such as governance reports
- Ad hoc reports
- Good practice case studies on our website, to celebrate and encourage wider adoption

The results of our engagement with a range of stakeholders using surveys and other methods will also be reported on.

More information about how we measure performance is available in [Appendix 5](#).

COSTS

We recognise that public sector resources are limited and understand that we must review, scrutinise and report publicly on our work to ensure best value and continuous improvement.

The following table shows current expenditure projected over the period of this plan, assuming no change in real terms. This budget is the minimum required to deliver current statutory functions to published standards and timescales.

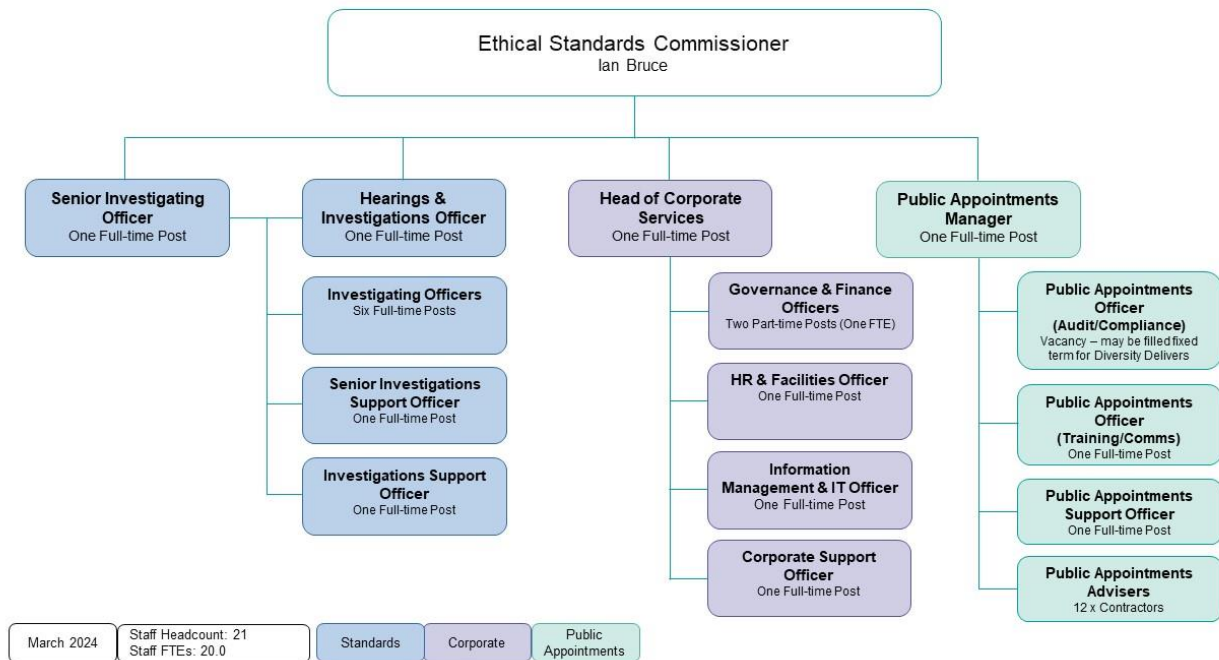
	2024/25	2025/26	2026/27	2027/28
	Revised Budget Bid	Indicative Budget	Indicative Budget	Indicative Budget
Staff Costs	1,402,500	1,497,100	1,556,000	1,604,000
Staff Related Costs	23,800	25,300	26,200	27,000
Property Costs	106,000	109,700	112,700	116,000
Professional Fees	165,000	170,100	167,900	171,000
Running Costs	74,900	78,800	80,400	83,000
Sub-total	1,772,200	1,881,000	1,943,200	2,001,000
Capital Expenditure	5,800	10,000	8,200	10,000
TOTALS	1,778,000	1,891,000	1,951,400	2,011,000

These budgets take account of the fact that the majority of our work is demand led. They will be refined each year to reflect any significant changes and agreed with the Scottish Parliamentary Corporate Body. Changes to the budget may be driven by external forces, such as pay increases and adjustments to pension contribution rates. Funding for additional specific projects supporting this strategic plan will be sought as part of the annual budget exercise. An indication of these costs is given in the table on the following page. Where possible, we will absorb these costs in the existing budget.

Strategic objective		2024/25	2025/26	2026/27	2027/28
1	<p>We will engage meaningfully with our stakeholders and the public to promote high standards in public life and adherence to the principles of public life in Scotland, listening to others' views and working constructively to improve our systems and processes.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget.</p>				
2	<p>We will ensure that we have sufficient staff and resources in place to deliver on all of our objectives, building resilience and flexibility across roles and remits. We will also work with other Parliamentary Officeholders with a view to driving efficiency through shared services. We value people and recognise that unless we have staff who are valued and supported to maintain their wellbeing, feel happy in and proud of our work and the way in which we do it, we will have failed.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget. We have already identified specific costs associated with the following action. These costs have been incorporated into existing budget bids.</p>				
i)	External accreditation of status as good employer	£3,500	£3,500		
3	<p>We will ensure that our staff are properly trained, supported and developed to fulfil the requirements of their role and their career progression.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget. The costs associated with the following action are estimated and we may be able to incorporate into existing budgets.</p>				
h)	Professional development in key specialist areas		£2,000	£2,000	£2,000
4	<p>We will make the best use of up to date and secure digital technology to support our work, enhance our users' experience and safeguard our systems.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget. We have already identified specific costs associated with the following action. These costs have been incorporated into existing budget bids.</p>				
g)	Maintain Cyber Essentials+ accreditation	£3,000	£3,100	£3,200	£3,300
5	<p>We will operate highly efficient and effective complaints handling processes that deliver consistent, evidence-based responses: ensuring fair and trusted outcomes.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget.</p>				

Strategic objective	2024/25	2025/26	2026/27	2027/28
6	<p>We will ensure appropriate systems of governance, quality review frameworks and robust external accreditation are in place, providing assurance to the public and stakeholders that our objectives are being met. We will also demonstrate our commitment to acquitting our environmental and social responsibilities.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget.</p>			
7	<p>We will contribute significantly to the maintenance of an effective ethical standards framework through supportive and constructive engagement with equivalent bodies both here and in other administrations.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget.</p>			
8	<p>We will, through supportive and constructive regulation, make a significant contribution to a public appointments system that produces effective and diverse boards that are reflective of the communities that they serve.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget.</p>			
9	<p>We will strive to be recognised leaders in the regulation of a system that is effectively run to achieve the appointment of the most able people to our boards and that is managed in compliance with the highest ethical standards.</p> <p>All actions in support of this objective will be undertaken inhouse or within our agreed annual budget.</p>			

OUR STRUCTURE



TIMEFRAME

Detailed delivery dates for our strategic objectives in year one are published in our [Biennial Business Plan 2023-2025](#) available on our website. Delivery dates for all goals and strategic objectives are being planned currently and will be published in successive business plans for each two-year period up to 2028.

APPENDIX 1

STATUTORY PROVISIONS

The Commissioner's functions in relation to public standards were originally set out in

- a) the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the Ethical Standards Act), and
- b) the Scottish Parliamentary Standards Commissioner Act 2002 (the Parliamentary Standards Act).

The Commissioner's functions in relation to public appointments were set out in the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (the Public Appointments Act).

Revisions to the institutional arrangements and performance requirements were set out in the Scottish Parliamentary Commissions and Commissioners etc Act 2010, and in The Public Services Reform (Commissioner for Ethical Standards in Public Life in Scotland etc.) Order 2013 (Scottish Statutory Instrument 2013/197)

The remit was extended by the Interests of Members of the Scottish Parliament (Amendment) Act 2016 and by the Lobbying (Scotland) Act 2016.

APPENDIX 2

WHAT WE DO

1. We investigate complaints about the conduct of MSPs, local authority councillors and board members of public bodies.

Standards of behaviour are set out in codes of conduct for MSPs, councillors and board members.

Where the Commissioner has concluded his investigation, he will report to

- the Standards Commission for Scotland, in the case of councillors and board and
- to the Scottish Parliament, in the case of MSPs and where in his view a breach of the relevant provisions has occurred.

The Commissioner also investigates complaints about lobbyists, where they fail to register or supply certain information to the Scottish Parliament. Any breach is reported to the Scottish Parliament.

2. We regulate how the Scottish Ministers make appointments to the boards of regulated public bodies. The Commissioner has the power to:
 - prepare and publish and, as necessary, revise a Code of Practice for Ministerial Appointments to Public Bodies in Scotland
 - issue guidance on the Code
 - examine how the Scottish Ministers are making appointments and in particular assess whether they are following the Code of Practice, and
 - report any serious instances of non-compliance to the Scottish Parliament

We must also ensure that, as far as possible, appointments are made fairly and openly and allow everyone, where reasonably practicable, the opportunity to be considered for an appointment.

Details of the legislation underpinning these functions are available at [Our Statutory Powers | Ethical Standards Commissioner](#).

APPENDIX 3

The individuals and organisations with a stake in our work, and with whom we consulted on this plan.

- The Scottish Parliament and its relevant subject Committees
- The Scottish Government
- The Standards Commission for Scotland
- COSLA
- The Society of Local Authority Lawyers & Administrators in Scotland
- SOLACE Scotland
- Chief Executives and Council Leaders of all Local Authorities in Scotland

Aberdeen City Council
Aberdeenshire Council
Angus Council
Argyll and Bute Council
City of Edinburgh Council
Clackmannanshire Council
Comhairle nan Eilean Siar
Dumfries and Galloway Council
Dundee City Council
East Ayrshire Council
East Dunbartonshire Council
East Lothian Council
East Renfrewshire Council
Falkirk Council
Fife Council
Glasgow City Council
Highland Council
Inverclyde Council
Midlothian Council
Moray Council
North Ayrshire Council
North Lanarkshire Council
Orkney Islands Council
Perth and Kinross Council
Renfrewshire Council
Shetland Islands Council
South Ayrshire Council
South Lanarkshire Council
Stirling Council
West Dunbartonshire Council
West Lothian Council
Scottish Borders Council

- The Chairs of Public Bodies

North East Scotland College
the Accounts Commission for Scotland
Architecture and Design Scotland
Ayrshire Regional College
the Bord na Gaidhlig
Borders NHS
Borders Regional College
Boundaries Scotland
the Cairngorms National Park Authority
Caledonian Maritime Assets Ltd
Forth Valley College
Children's Hearings Scotland
NHS National Services Scotland
Community Justice Scotland
Consumer Scotland
Creative Scotland
the Crofting Commission
Crown Estate Scotland
Dumfries & Galloway Regional College
Dundee and Angus Regional College
Edinburgh Regional College
Fife Regional College
Food Standards Scotland
Grampian NHS
Highland NHS
Highlands and Islands Airports Ltd
Highlands and Islands Enterprise
Historic Environment Scotland
the Independent Living Fund
the Judicial Appointments Board for Scotland
the Regional Board for Lanarkshire Colleges
Lothian NHS
the Mental Welfare Commission for Scotland
the Mobility and Access Committee for Scotland
the National Galleries of Scotland
the National Library of Scotland
the National Museums of Scotland
NHS 24
the Office of the Scottish Charity Regulator
Orkney NHS
Quality Meat Scotland
the Risk Management Authority
the Royal Botanic Garden Edinburgh
the Schools Closure Review Panel
the Scottish Agricultural Wages Board
the Scottish Ambulance Service
the Scottish Children's Reporter Administration
the Scottish Commission on Social Security
Scottish Enterprise
the Scottish Further & Higher Education Funding Council
the Scottish Futures Trust

the Scottish Housing Regulator
the Scottish Land Commission
the Scottish Law Commission
the Scottish Police Authority
the Scottish Social Services Council
Skills Development Scotland
VisitScotland
the Water Industry Commission for Scotland
West Lothian Regional College
Western Isles NHS
Scottish Advisory Committee on Distinction Awards
City of Glasgow College
Glasgow Clyde College
Glasgow Kelvin College
Inverness College
Lews Castle College
North Highland College
Perth College
Ayrshire and Arran NHS
the Care Inspectorate
David MacBrayne Ltd
Dumfries and Galloway NHS
Fife NHS
Forth Valley NHS
Greater Glasgow and Clyde NHS
Healthcare Improvement Scotland
Lanarkshire NHS
Loch Lomond and the Trossachs National Park Authority
NHS Education for Scotland
the Parole Board for Scotland
the Poverty and Inequality Commission
Public Health Scotland
Revenue Scotland
the Scottish Criminal Cases Review Commission
the Scottish Environment Protection Agency
the Scottish Fire and Rescue Service
the Scottish Legal Aid Board
the Scottish Legal Complaints Commission
the Scottish Qualifications Authority
Scottish Water
Shetland NHS
South of Scotland Enterprise
sportscotland
the State Hospitals Board for Scotland
Tayside NHS
West Regional College
the Regional Board for Glasgow Colleges
the Golden Jubilee Foundation Board
the Scottish Fiscal Commission
Scottish Natural Heritage
Scottish Canals
Moray College
East Ayrshire Health and Social Care Partnership
North Ayrshire Integration Joint Board
South Ayrshire Integration Joint Board

Scottish Borders Health and Social Care Integration Joint Board
Dumfries and Galloway Integration Joint Board
Fife Integration Joint Board
Clackmannanshire and Stirling Integration Joint Board
Falkirk Health and Social Care Partnership
Aberdeen City Integration Joint Board
Aberdeenshire Integration Joint Board
Moray Integration Joint Board
East Dunbartonshire Health and Social Care Partnership Integration Joint Board
East Renfrewshire Integration Joint Board
Glasgow City Integration Joint Board
Inverclyde Integration Joint Board
Renfrewshire Integration Joint Board
West Dunbartonshire Integration Joint Board
Argyll and Bute Integration Joint Board
Highland Health and Social Care Partnership
North Lanarkshire Health and Social Care Integration Joint Board
South Lanarkshire Integration Joint Board
City of Edinburgh Integration Joint Board
East Lothian Integration Joint Board
Midlothian Integration Joint Board
West Lothian Integration Joint Board
Orkney Islands Integration Joint Board
Shetland Islands Integration Joint Board
Angus Integration Joint Board
Dundee Health and Social Care Partnership
Perth and Kinross Joint Integration Board
Western Isles Integration Joint Board
Highlands and Islands Regional transport partnership
North-East of Scotland Regional transport partnership
Shetland Regional transport partnership
South-East of Scotland Regional transport partnership
South-West of Scotland Regional transport partnership
Strathclyde Regional transport partnership
Tayside and Central Scotland Regional transport partnership

Additionally, the Chairs of NHS Boards as a separate group

- Equalities Organisations

Inclusion Scotland
the Equality and Human Rights Commission Scotland
CEMVO
Age Scotland
the Scottish Women's Convention
MECOPP
Changing the Chemistry
Stonewall Scotland
the Scottish Youth Parliament
BEMIS
Women on Boards
the Equality Network
Disability Equality Scotland
the Coalition for Racial Equality and Rights

Neish Training
Young Scot
LGBT Youth Scotland
EQUATE Scotland
the Glasgow Centre for Inclusive Living
VOX Scotland
Youth Scotland
Engender
the First Minister's National Advisory Council on Women and Girls
Close the Gap
the University of the West of Scotland
Heriot-Watt University
PATH Scotland
the West of Scotland Regional Equality Council
Central Scotland Regional Equality Council
Edinburgh and Lothians Regional Equality Council

- Other Significant Organisations

Accounts Commission for Scotland
Audit Scotland
Chartered Institute of Public Finance and Accountancy
Colleges Scotland
Committee on Standards in Public Life
Institute of Chartered Accountants of Scotland
Institute of Directors Scotland
Law Society of Scotland
Office of the Commissioner for Public Appointments
Office of the Commissioner for Public Appointments in Northern Ireland
Scottish Chambers of Commerce
Scottish Council for Voluntary Organisations
Scottish Human Rights Commission
Scottish Public Services Ombudsman
Scottish Trades Union Congress
The Children and Young People's Commissioner Scotland
the Improvement Service

- Public Appointments Advisers

Di Airey
Neelam Bakshi
Jayam Dalal
Matt Drynan
Kay Hampton
Ali Jarvis
Paul Matheson
Bill Smith
Alec Spencer
Duncan Wallace
Heidi Winser
Sue Young

APPENDIX 4

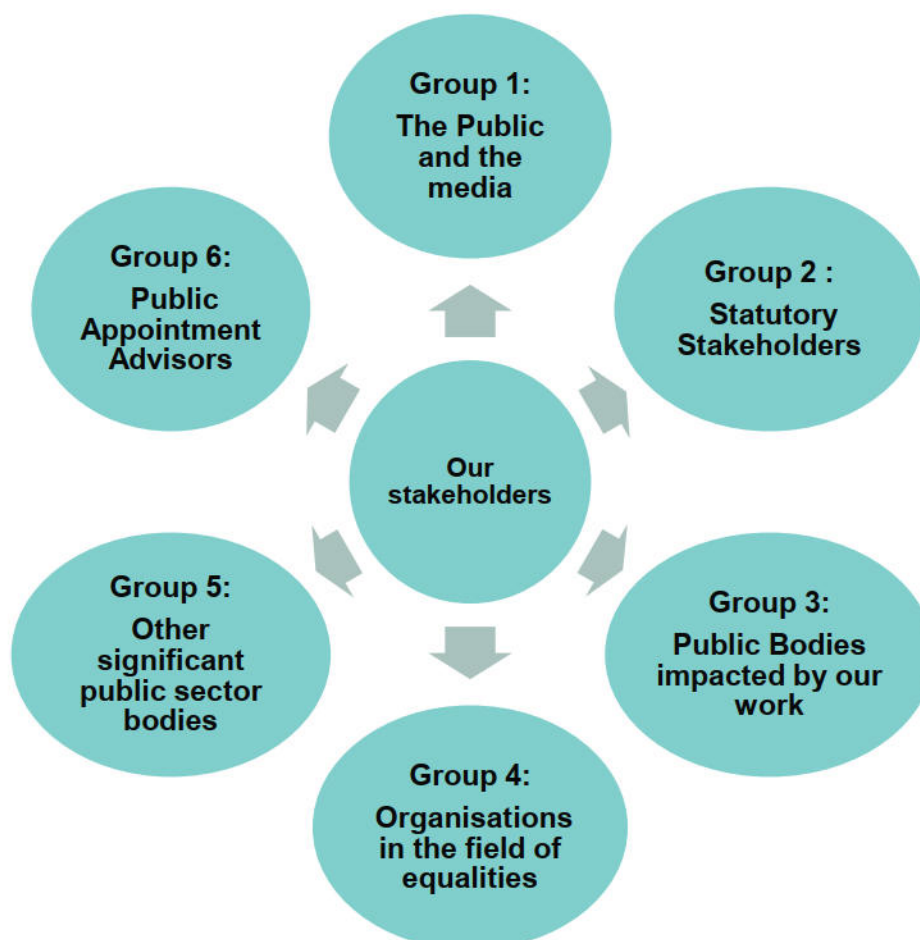
Our Communications Strategy

Our overarching purpose, values and strategic objectives are set out in our strategic plan. Our communications strategy is intended to help the public and our stakeholders to understand these and how they can raise concerns with us or ask questions about our work. This in turn is intended to increase confidence in the ethical standards framework that our office is a part of.

Our Stakeholders

We first mapped our key stakeholders in early 2021 in order to consult them on our draft strategic plan for 2021-2024. They include all of the organisations in Scotland who have a clear interest in, or who may be affected by, the work that we do. Key to effectively communicating and engaging with them is recognising that they encompass diverse audiences that communicate in different ways.

In deciding who we should communicate with regularly for the purposes of this strategy, we concluded that we should add the general public and the media. A comprehensive list of stakeholders is included in an appendix to the communications strategy. They have been grouped together as follows:



Our communication objectives

There are four overarching objectives of the Communications Strategy 2023-2028, which aims to help the public and our stakeholders to more readily understand what we do and how and why we do it. In all that we do, we will continue to be open and transparent, modelling the behaviours and reputation that we seek to promote. Our objectives are as follows:

1. We want all of our stakeholders to know what our purpose, strategic objectives and values are.
2. We want our stakeholders to know how we are performing – not just in terms of our statutory functions but also how we fulfil them.
3. We want members of the public to know about our complaint handling functions and how to make a complaint if they wish to.
4. We want members of the public to know more about the board roles that we regulate appointments to, what it's like to go through the regulated appointments process and how to apply if they wish to.

Our full Communications Strategy is available on our website at [Communications Strategy | Ethical Standards Commissioner](#). It is also available in Easy Read format at [Communications Strategy \(Easy Read\) | Ethical Standards Commissioner](#).

APPENDIX 5

MEASURING PROGRESS

Corporate, general, complaints and lobbying

In relation to the performance of our functions we are obliged to track and report on the following by virtue of our framework agreement with the SPCB:

1. a review of the Commissioner's activity in the reporting year, including the steps taken to fulfil the Commissioner's functions;
2. the number of complaints made to the Commissioner during the reporting year about
 - (i) members of the Parliament,
 - (ii) councillors, and
 - (iii) members of devolved public bodies;
3. the number of complaints made for the purpose of investigation under the Ethical Standards or the Parliamentary Standards Acts which were withdrawn during the reporting year, broken down according to the stage of investigation at which they were withdrawn;
4. the number of investigations under the Ethical Standards Act
 - (i) begun,
 - (ii) not proceeded with,
 - (iii) completed, during the reporting year;
5. the number of outcome reports submitted to the Standards Commission for Scotland under section 14 of that Act during the reporting year;
6. the number of further investigations that the Commissioner has, during the reporting year, been directed under section 16 of that Act to carry out;
7. In relation to Stage 1 investigations under the Parliamentary Standards Act
 - (i) the number completed,
 - (ii) the number of complaints dismissed; and
 - (iii) the number of complaints considered admissible or treated under section 7(7)(b) of the Act as meeting all the specified requirement during the reporting year;
8. In relation to Stage 2 investigations under the Parliamentary Standards Act
 - (i) the number completed and
 - (ii) the number of outcome reports made under section 9 of the Act during the reporting year;
9. The number of further investigations that the Commission has been directed to carry out under section 10(2) of that Act during the reporting year;

And in relation to the performance of the Commissioner's functions under the Lobbying (Scotland) Act 2016—

10. the numbers of complaints made to the Commissioner during the reporting year,

11. the number of complaints which were withdrawn during the reporting year, broken down according to the stage of the investigation at which they were withdrawn,
12. in relation to assessments of admissibility under section 22(2)(a) of that Act—
 - (i) the number completed,
 - (ii) the number of complaints dismissed, and
 - (iii) the number of complaints considered admissible, during the reporting year,
13. in relation to investigations under section 22(2)(b)(i) of that Act—
 - (i) the number completed,
 - (ii) the number of reports made under section 22(2)(b)(ii) of that Act, during the reporting year, and
14. the number of further investigations that the Commissioner has been directed to carry out under section 27(2) of that Act during the reporting year.

We have taken the decision to gather, record and report progress against additional key performance indicators, over and above those included in the framework agreement. These are:

15. We will adhere to our agreed budget each year. Deviations from the agreed budget will be reported on each year in our annual report and accounts.
16. We will report on progress against our business plan each year.
17. We will report on the extent to which we have adhered to our published timescales for the completion of each stage of an investigation.
18. We will report on the extent to which complainers or respondents believe we are adhering to the values set out in our strategic plan.

Public Appointments

In relation to the performance of our functions under the Public Appointments Act we are obliged to track and report on the following by virtue of our framework agreement with the SPCB:

19. a summary of any revisions made under section 2(3)(b) of the Act to the code of practice,
20. a summary of any section 2(5)(b) complaints received by the Commissioner,
21. a summary of any guidance to the Scottish Ministers issued under section 2(6) of the Public Appointments Act;
22. the number of section 2(8)(a) reports made,
23. the number of section 2(8)(b) directions made during the reporting year;
24. an overview of the progress made by the Scottish Ministers in relation to section 2(10) of the Public Appointments Act, and
25. an overview of work to be undertaken by the Commissioner in the year following the reporting year.

We have taken the decision to gather, record and report progress against additional key performance indicators, over and above those included in the framework agreement. These are:

26. The views of selection panel chairs and public body chairs (where they are also panel members) on the quality of the input they receive from public appointments advisers
27. The views of applicants on their experience of going through the public appointments process
28. The demographics of applicants, appointees and board members of public bodies (partially implicit in “f” above)

New metrics

We have also developed a comprehensive range of new metrics used to assess our performance against our objectives and goals. We will develop a baseline for each of them in the first two years of this strategic plan’s operation to allow us to measure progress thereafter. The full document is published separately to this plan as it is subject to change during the four-year period concerned. It is available at [Strategic Plan 2024-2028 - Associated Document - Metrics | Ethical Standards Commissioner](#).