

Mr Kevin Stewart

By email only to:

MinisterLGHP@gov.scot

05 February 2021

Dear Mr Stewart

Impact of introduction date for the revised Councillors' Code of Conduct

You will doubtless be aware that my office was involved at various junctures in the development of a revised draft Councillors' Code of Conduct. As such, some of the more technical aspects on application of the Code on which I opined have been taken into account by the Scottish Government in arriving at the iteration of the revised Code now circulated for views.

This letter therefore relates solely to a question regarding the intended date from which the revised Code will apply. You may already have this under consideration, in which case please accept my apologies, but I felt it would be prudent to highlight it with you in case not.

This question is raised because, in the context of the current global emergency, councils are at the forefront of local community response. You doubtless share my concerns about the potential grave consequences arising through any diversion of Councils from their essential work.

You will be aware that the introduction of the revised Code will have significant practical implications for Local Authority Councils, and particularly for their legal officers. If the revised code is introduced in say mid/late 2021, their efforts at that time will then be necessarily repeated soon after with the election of new Councillors in May 2022. My question is, has consideration been given to the optimal date of introduction of the revised Code, given the extraordinary challenges attached to Councils' current operational circumstances?

I appreciate fully that this point lies wholly outwith my statutory remit, but greatly appreciate the burden which the councils are shouldering at this most challenging time. I trust that you will appreciate my intentions in writing to you and that you will give the matter careful consideration.

Please don't hesitate to contact me if you have any questions or would find it helpful to discuss this with me.

Yours sincerely



Caroline Anderson F.C.A
Ethical Standards Commissioner

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