



The Scottish Parliament
Pàrlamaid na h-Alba

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Finance and Public
Administration Committee

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Dear Convener,

At the meeting of the Finance and Public Administration Committee on 10 January 2023, the Scottish Parliamentary Corporate Body (SPCB) committed to provide your Committee with further information on a number of areas in relation to its draft budget submission. These were:

Ethical Standards Commissioner

To provide further detail to the Committee on the proposed increase to the budget for the Commissioner for Ethical Standards in Public Life in Scotland.

Additional information including information on workloads is contained in Annex 1.

Scottish Human Rights Commission

To provide additional detail on the restructuring of the Scottish Human Rights Commission.

The additional information sought is contained in Annex 2.

Scottish Parliament's Building Environment Management System (BEMS)

Breakdown of costs associated with the Building Environment Management System.

These are summarised for 2023-24 in the following table.

Area	£k
Materials	1,300
Prelims	100
Labour	150
VAT	320
Contingency	130
Professional fees	100
Total	2,100

It is important to stress that the market has yet to price the work and these are our best estimates. We are frontloading material costs for the project largely into 2023-24.

Breakdown of costs between software support and licenses

These are summarised for 2023-24 in the table below.

Area	£k
Annual Software Licenses	1,022
Bespoke software	137
General software	524
Cloud hosting	375
Payroll	155
Total	2,213

The distinction between software licences and support is becoming increasingly invalid as we move to Software as a Service model (SAAS) where the combined cost covers perpetual licences, maintenance (patches and upgrades) and support and costs. In future years, the SPCB will look to capture and present this information to the Committee to ensure it reflects more accurately the current model.

In addition, the SPCB committed in future years' budget submissions to identify separately within staff costs any budgeted element for contractor costs and I will ensure that this happens.

I hope this response meets the Committee's request for additional information.

Please do not hesitate to contact me if I can be of any further assistance.

Yours sincerely,

DAVID McGILL
Clerk/Chief Executive

Commissioner for Ethical Standards in Public Life in Scotland

The Commissioner for Ethical Standards in Public Life in Scotland investigates complaints about the behaviour of MSPs, local authority councillors and board members of public bodies and lobbyists and also looks into how people are appointed to the boards of public bodies in Scotland.

The Commissioner's office was subject to a wider scope audit review in 2021, resulting in a Section 22 Report which was laid by the Auditor General in December 2021. The auditors identified a number of issues including that the office was under-resourced, it lacked resilience, its future was not sustainable based on the resources that were available to it and its senior management team was at full capacity and carrying excess leave.

One of the auditor's priority recommendations was that a workforce planning exercise be undertaken to determine if amongst other matters, the staffing structure was fit for purpose.

An extensive workforce planning exercise was undertaken which identified that the office was significantly under-resourced and that in order for the office to operate effectively, a total of 20 FTE staff were required.

As a result, the acting Commissioner submitted a business case to the SPCB seeking approval to increase the staffing compliment by 7.4 FTE and to regrade two posts.

The new structure will ensure the office has capacity to –

- maintain its core functions
- operate in keeping with good governance principles and practices
- ensure that existing and legislative requirements are identified and implemented
- meets stakeholders' expectations about the time it takes to investigate complaints
- allow for succession planning
- provide cover across the organisation
- ensure that staff are appropriately trained
- develop a culture that retains and develops staff, and
- ensure the appropriate stewardship of public funds and resources

The acting Commissioner's new staffing structure is set out in the table below with the new posts highlighted in blue.

Post	Head count	FTE
Commissioner	1	1
Public Appointments Manager	1	1
Public Appointments Officer	1	1
Public Appointments Officer (Grade 4)	1	1
Public Appointments Support (Grade 2)	1	1
Head of Corporate Services	1	1
Business Officer (Grade 3) increased hours	1	0.6
		0.4
Corporate Services Officer (Grade 3) regrading	1	1
Corporate Services Officer (Grade 2)	1	1
HR and Development Officer (Grade 3)	1	1
Senior Investigating Officer (Grade 5)	1	1
Senior Investigating Officer (Grade 5)	1	1
Investigating Officer (Grade 4)	4	4
Investigating Officer (Grade 4)	2	2
Investigations Paralegal (Grade 3) regrading	1	1
Investigations Paralegal (Grade 2)	1	1
Total	20	20

Workload

Case numbers from the Commissioner's Annual Report 2020/21 are provided below. The numbers do not reflect the increasing complexity of cases which require extensive investigation and the additional reporting requirements as a result of the statutory directions issued by the Standards Commission for Scotland in relation to complaints about councillors and members of public bodies.

Table 1 - Complaints about councillors and members of public bodies

	2020/21		2019/20		2018/19 Revised	
	Complaints	Cases	Complaints	Cases	Complaints	Complaints
Open at 1 April	63 ⁹	35 ⁹	35 ⁷	24 ⁷	23 ³	19 ³
Received	238	130	284	154	174 ⁴	118 ⁵
Active during year	301	165	319	178	197	137
Completed	277	157	256 ⁸	143 ⁸	162 ⁶	113 ⁶

Table 2 - Complaints about MSPs

		2020/21		2019/20		2018/19		2017/18	
		Complaints	Cases	Complaints	Cases	Complaints	Cases	Complaints	Cases
Open at 1 April	Stage 1			6	5	1	1		
	Stage 2	1	1			2	2	4	3
Received		763	54	109	39	23	22	28	24
Active during year		764	55	115	44	26	25	32	27
Completed		61	40	114	43	20	20	29	24

There were no complaints about lobbyists.

Scottish Human Rights Commission (SHRC)

The SHRC's general duty is to promote human rights and, in particular, to encourage best practice in relation to human rights

Following a restructuring exercise, as part of the 2023/24 budget round, the SHRC submitted a bid for funding for an additional 2 FTE posts - a Grade 4 Legal and Policy Development Officer and a Grade 3 Assistant Media and Communications Officer at a cost of £109k.

The Legal Policy Development Officer will support the Commission's work on the Human Rights Bill, as well as engagement in other legislative developments in the Parliament. In addition, they will lead on wider work on Economic, Social and Cultural Rights in Scotland, including engagement with civil society organisations.

The Assistant Media and Communications Officer will lead on work on the SHRC's social media platforms and its website to ensure high quality digital content is available in an accessible and engaging format for all audiences. In addition, they will support events work and engagement with the media.

The SHRC was able to undertake a restructuring exercise in 2022 as a result of a number of staff resigning.

The current and future staffing compliment is set out in the table below.

2022/23			2023/24		
Senior Management Staff	Grade	FTE	Senior Management Staff	Grade	FTE
Executive Director	6	1	Executive Director	6	1
Head of Communications & Engagement	5	1	Head of Communications & Engagement	5	1
Head of Business Support / Commission Secretariat	5	1	Head of Business Support / Commission Secretariat	5	1
Non-Senior Management Staff :			Non-Senior Management Staff :		
Legal Officer	5	1	Legal Officer	5	1
Legal Officer	5	0.9	Legal Officer	5	0.9
Policy Officer	5	1	Policy Officer	5	1
Policy and International Officer	5	1	Policy and International Officer	5	1
			Legal Policy Development Officer	4	1
Research and Policy Officer	3	0.6	Research and Policy Officer	3	0.6
Media & Communications Officer	4	0.8	Media & Communications Officer	4	0.8
Participation/Engagement Officer	4	1	Participation/Engagement Officer	4	1
			Assistant Media & Communications Officer	3	1
Business Support Officer	2	0.5	Business Support Officer	2	0.5
Business Support - Resource, Reception, PA	2	1	Business Support - Resource, Reception, PA	2	1
Total		10.8			12.8

It is worth noting that in 2021, the SHRC sought funding for an additional 8.2 FTE staff. Due to a lack of supporting evidence, the SPCB asked the SHRC to undertake an independent review to establish the basis for additional staff. The independent review was not undertaken due to a change in the membership of the SHRC and staff resignations.