

Ariane Burgess MSP
Convener
Local Government, Housing and Planning Committee

By email only to: localgov.committee@parliament.scot

6 January 2025

Dear Ms Burgess

Evidence before the Committee on 19 November 2024

Thank you for your letter of 18 December 2024. I'm pleased that the Committee found the discussion to be constructive and helpful, and we are grateful for the opportunity to respond to the Committee's suggestions regarding training for elected councillors.

We agree with the Committee that all newly-elected councillors should be offered training on the Code, having agreed to comply with it as part of their acceptance of office. The point at the evidence session on the possibility of them being overwhelmed by "information overload", was made merely to highlight the fact that elected members receive a great deal of training on various topics in the days immediately following an election and that it might be helpful to allow them a few weeks, or even months, to become acquainted fully with the role and their responsibilities, before providing in-depth training on the Code. This is so elected members do not perceive its provisions as entirely hypothetical, and can better appreciate how they are to be applied to the scenarios and situations in which they may find themselves.

Our understanding from Monitoring Officers is that the vast majority of, if not all, local authorities offer training on the Code in the first six-months following local elections. We would support the proposal to make this training mandatory, but consider this would require a legislative provision or, at the very least, the agreement of local authorities. We would be willing to write to all local authorities to ask them to agree to this, if the Committee indicates it would like us to do so (although our understanding is that that most local authorities currently designate such training as compulsory). We would note, however, that at present the Standards Commission has no power, either statutory or in terms of the Code, to make it mandatory for councillors to attend such a session (albeit, as set out in the Standards Commission's Policy on the Application of Sanctions, a failure to do so without good reason would be an aggravating factor in terms of the sanction to be applied, should a breach of the Code be found at a Hearing).

As you have acknowledged, the Standards Commission is a small organisation, with limited resources. It may be helpful to note that, we have already facilitated two such sessions in the present year to date (to elected members of Perth & Kinross and South Ayrshire Councils) and we are expecting to deliver a further three before the year end on 31 March 2025 (to elected members of Argyll & Bute, Dumfries & Galloway and East Lothian Councils).

In respect of both the year 2023/24 and the year to date, we have not rejected any request from a local authority to deliver a session on the Code or to otherwise provide assistance with training. We make it clear to our stakeholders that we always try to meet any such request and, indeed, reiterated this point at a workshop we held with Monitoring Officers and other stakeholders on 23 October 2024.

In addition, we have produced and published a 40-minute training video and a standard PowerPoint presentation on the Code, both of which can be downloaded from our website, either by individual councillors, or by officers for use as part of their local authority's internal training programme for elected members.

We understand that, as a result of having other commitments and to reduce travel time, some councillors prefer to undertake training online or in their own time. We agree, nevertheless, that in-person training can be an effective way of promoting understanding of, and adherence to, the Code. Standards Commission Members have recently become involved in conducting training sessions on the Codes, which means the burden of delivering them no longer rests solely with the Executive Team. As such, we should be in a position to deliver more training to local authorities in the forthcoming year.

As you have noted, the Executive Team has delivered three joint webinars with the Improvement Service to date on engaging with constituents, using social media and confidentiality. Two further joint webinars are scheduled for this month, on identifying and managing conflicts of interest, and making quasi-judicial and regulatory decisions. We will liaise with the Improvement Service about the possibility of arranging further sessions in 2025 for elected members on distinguishing between strategic and operational matters, and on relations with Council officers.

I hope this information is useful. Please let me know if you have any queries or wish to discuss any of the contents of this letter further.

Yours sincerely

Suzanne Vestri
Convener