



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

SPCB Supported Bodies Landscape Review Committee

Thursday 30 January 2025

Session 6



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**SPCB SUPPORTED BODIES LANDSCAPE REVIEW COMMITTEE
2nd Meeting 2025, Session 6**

CONVENER

*Ben Macpherson (Edinburgh Northern and Leith) (SNP)

COMMITTEE MEMBERS

*Murdo Fraser (Mid Scotland and Fife) (Con)

*Richard Leonard (Central Scotland) (Lab)

*Ash Regan (Edinburgh Eastern) (Alba)

*Lorna Slater (Lothian) (Green)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Ian Bruce (Ethical Standards Commissioner)

Suzanne Vestri (Standards Commission for Scotland)

CLERK TO THE COMMITTEE

David Millet

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

SPCB Supported Bodies Landscape Review Committee

Thursday 30 January 2025

[The Convener opened the meeting at 09:30]

SPCB Supported Bodies Landscape Review

The Convener (Ben Macpherson): Good morning. I welcome everyone to the second meeting in 2025 of the SPCB Supported Bodies Landscape Review Committee. I have received no apologies for the meeting.

Today, we will take evidence from Ian Bruce, who is the Commissioner for Ethical Standards in Public Life in Scotland, and then from Suzanne Vestri, who is convener of the Standards Commission for Scotland. Thank you for being here and for your written evidence.

I welcome Ian Bruce. We move directly to questions, and I will start with quite a general one. How do you perceive the current role of Scottish Parliamentary Corporate Body-supported bodies in enhancing public trust and confidence in public life in Scotland?

Ian Bruce (Ethical Standards Commissioner): There are a range of supported bodies, which fulfil disparate functions. I fulfil the role of three different previous commissioners or commissioner-type individuals. I investigate complaints about MSPs, councillors and members of public bodies in Scotland, as well as complaints about lobbyists and lobbying. I also oversee appointments to the boards of 100 public bodies in Scotland. Those bodies are responsible for the expenditure of well over a third of all public money in Scotland.

With regard to public confidence, my role is about giving people an assurance that, if elected officials are not acting appropriately, there is somewhere for them to go with their concerns and that those concerns will be properly investigated and those individuals held to account, if they have acted inappropriately. With regard to public appointments, it gives the public an assurance that the people who are appointed to oversee those boards are appointed on merit and that they have the skills, knowledge and experience to provide strategic oversight of the work of those bodies and to hold the executive teams of those bodies to account.

The other office-holders have disparate functions. There are checks and balances in the system. I will be followed by Suzie Vestri, who is the convener of the Standards Commission for Scotland. It has a role in holding my office to account. It also has an adjudicatory function in respect of complaints and investigations that I take forward to it, so I am not the final arbiter of conduct complaints. It is a bit like the distinction between the Crown Office and Procurator Fiscal Service and the judiciary—there is somewhere else where the final decision on people's conduct is made.

The same is true in respect of MSP complaints, because I am not the final arbiter. Ultimately, it is your peers—the members of the Standards, Procedures and Public Appointments Committee—who make the decision about whether an MSP has been in breach of the code of conduct.

The fact that we have a freedom of information commissioner provides a great deal of assurance to the public about transparency in public life.

The Convener: We will come to the other commissioners in due course. In order to build on that helpful introduction, can you say more about what you consider to be the purpose of an SPCB-supported commissioner? In particular, how does the role differ from those of ministers, MSPs and other bodies? In your response to the call for views, you emphasised the importance of independence for SPCB-supported bodies, but in your view, and in your experience, how does that independence enhance public confidence in the ethical conduct of MSPs, councillors and public body board members?

Ian Bruce: I think that it is incredibly important. I mean no disrespect, but the fact is that people's political views and political disagreements can drive up poor conduct. I see that in my day-to-day work. It is a reality; indeed, I discussed the issue recently in evidence to the Standards, Procedures and Public Appointments Committee.

It is very important that someone who is, and is seen to be, entirely politically neutral is the individual who makes decisions about whether the respective codes of conduct have been followed. If there was not that independence or neutrality, the public could, quite rightly, have concerns that things were not being looked at through an apolitical lens.

The Convener: Thank you for that. The next questions come from Richard Leonard.

Richard Leonard (Central Scotland) (Lab): Good morning, Mr Bruce. During the Finance and Public Administration Committee's inquiry, there was a very interesting comment from the Scottish

Public Services Ombudsman that appeared in the committee's final report. The ombudsman said:

"We are not doing the job that we think we should be doing because we do not have the right legislative remit."—*[Official Report, Finance and Public Administration Committee, 30 April 2024; c 37.]*

My question to you is this: do you think that you have the right legislative remit?

Ian Bruce: Yes, I do.

Richard Leonard: You have surveyed the landscape of other commissions and commissioners. Do you have any sense of whether they have the right framework? Do they have adequate powers, for example?

Ian Bruce: My answer to that question would be based on pure conjecture. I know that all the office-holders will appear before the committee, but it might help if I expand a little on my previous answer, which was possibly too succinct.

You will know this from your papers, and I mentioned it at the start: originally, there were three separate bodies. Some of the earliest legislation in the Scottish Parliament established the powers that I have. I think that that is right and proper; the powers that I have are, to be honest with you, the hallmarks of a well-functioning democracy.

Three different postholders were merged in order to create my office. There was a very clear synergy in that respect, and the merger was based on a previous review of the commissioner landscape. I think that the Parliament has already given thought to the sorts of powers that should be vested in me as an individual commissioner.

Richard Leonard: Okay. Let me move on to some of the things that you have said in your submission. We are aware that, as you have reported, there has been a rise in demand for your services, which is constituted in part by a rise in complaints about, for example, the conduct of elected members. What measures have you implemented to ensure that your office is functioning effectively? What assessment do you carry out to ensure that you are being effective and that your impact is as you would want it to be?

Ian Bruce: We have implemented what are, to be honest with you, a very wide range of measures. I have a strategic plan that runs for a four-year period, with a rolling biennial business plan that sits under that. To achieve the strategic objectives that I have set, on which I consulted very widely, I have a range of activities each year that our office needs to complete to provide the type of assurance that you have asked me about.

Perhaps I can give you a simple example. I have implemented a quality assurance framework in respect of the investigatory procedures that we

conduct. Fine—I have done that. Over and above that, though, I have an internal audit function, and we have asked it to look at our investigatory procedures to ensure not only that I can give you assurance about our work, but that we can rely, too, on our wholly independent internal auditors to provide that assurance.

To come back to your original question about rising demand, I would say that my particular focus most recently and over the past year has been to dedicate as much resource as possible to the front end of the system—that is, the point at which complaints are received by my office—with a view to driving waiting times right down, so that people get a decision on admissibility as quickly as possible.

To provide assurance, all the waiting times are published on our website, and that information is updated regularly. I anticipate that, by this year end, notwithstanding the rise in demand, we will have driven down waiting times quite significantly. We have published key performance indicators in respect of those.

Richard Leonard: In the past, you have commented on an insufficiency of resources—I think that that came out of an Audit Scotland report. That insufficiency of resources related to the carrying out of statutory functions, which it is important is properly resourced. How have you addressed that? How are you managing the increase in demand on your services?

Ian Bruce: I had to do a few things in parallel. Yes, there was insufficient resource, but quite a lot of that was down to the fact that we were carrying a significant number of vacancies. Under my immediate predecessor, staff turnover over a two-year period was running at—I hesitate to say this—about 170 per cent, which is really significant. I had to recruit to fill existing vacancies and, at the same time, based on the section 22 report and what the external auditors had recommended, I had to conduct a significant and comprehensive workforce planning exercise. On the back of that, I had to make a bid to the SPCB for additional resource, which involved a well-evidenced business case. I filled my vacancies and we got the bid in, which allowed me to recruit additional staff.

Those staff are all now in post. They have all been through their induction and training and are all now addressing the issues that we had as an office. At the time, we had a significant backlog, which was of concern to our stakeholders. Everything is working really well now. In the latest audit from Audit Scotland, which is now our auditor, it conducted a wider-scope review to go back and look at the things that we had implemented further to the section 22 report. Everything has been implemented—absolutely

everything. The auditors had no recommendations for me whatsoever this year, and that has been the case for two years in a row.

Richard Leonard: Yes—you have not paid a visit to the Public Audit Committee recently, which is always a good sign.

I have one final question. In the debate that is taking place about the future landscape of bodies such as yours, there has been an attempt to forge a distinction between the commissioners and commissions that are regulatory and those that have an advocacy function. In addition, distinctions are sometimes drawn between the commissions and commissioners that are proactive and those that are reactive. How would you define the work that you do? Is it regulatory only, or is there some advocacy? Is it simply reactive, or do you do proactive work as well?

Ian Bruce: I am a regulator, pure and simple. The complaint-handling function is purely regulatory. In respect of public appointments, there is certainly scope for me to be more proactive, although I would say that I am proactive in respect of all my work; I do not just sit passively and wait for complaints to come in and then react to that. As you will see from the strategic plan, I am dedicated to driving up the quality of the work that we do, so I would say that I am proactive in that respect.

At the end of the day, public money is involved, and the public have a right to expect that the service that I deliver is as good as it possibly can be. That is in respect of complaint handling as well as everything else that I do.

09:45

I am certainly more proactive on the public appointments side. I am here to ensure that appointments are made based on merit, following a fair, open and transparent process. Equally, I have a firm belief that board diversity is very important, because that makes a difference to the quality of decision making at board level. I dedicate a proportion of my office's resources to ensuring that boards become more diverse over time. One of my statutory responsibilities is to have a strategy for improving board diversity, and I have recently launched a project to refresh that strategy, because it is quite out of date. I am very proactive in that area.

Alongside the Standards Commission, I go out to talk to current and new board members about ethical leadership, because that is important, too. I have a vested interest in that, because the more that board chairs and members understand the importance of ethical leadership, the less likely it is that complaints will come to my office. Therefore, I feel that I am proactive, too.

Richard Leonard: Thank you very much.

The Convener: Given that you raised the issue, Mr Bruce, I note from my time as a junior Scottish minister that the advice and feedback that you and your office give on public appointments are very important. I am happy to put that on the record.

Ian Bruce: Thank you.

Lorna Slater (Lothian) (Green): I will pick into what you said about your role as compared with that of the Standards Commission. You described your role as being an investigatory one in providing evidence, with decisions then being made by the Standards Commission or, for MSP matters, the Standards, Procedures and Public Appointments Committee. Is that a sort of pass-through process, with the Standards Commission or the MSP group making a recommendation, or does the information go to different places, depending on who is being investigated?

Ian Bruce: I am sorry if I was not sufficiently clear. In respect of complaints that are made about councillors or board members, I conduct the investigation and reach a conclusion about whether I feel that the code has been complied with. My report—the outcome of the investigation—is passed to the Standards Commission, which is, in effect, the tribunal. It decides whether my conclusions are sound. It has three options: it can take no action, it can direct further investigation or it can hold a hearing. It is at the hearing that the final decision on the disposal of a particular case is made.

In respect of MSP complaints and lobbying complaints, I investigate and produce a report, but that report goes to the SPPA Committee, not to the Standards Commission. It is the SPPA Committee that makes a decision.

Lorna Slater: Brilliant. You also described your advisory function—your more proactive function in relation to the ethics of appointments. Is there anywhere else in public life in general where you feel that an advisory function is missing and would be useful? In looking at the commissioner framework, as well as considering overlaps and whether there are too many commissioners, we are trying to find gaps and where things are missing. It seems to me that, especially in the light of more and more complaints being made, a proactive function in providing advice might be useful. What are we missing?

Ian Bruce: That is a really good question, but I do not know the answer to it. I would be happy to take that away and have a think about it, if that is all right. My main focus has been on getting our office back in shape. The committee is asking a number of very interesting questions, and I will certainly take that one away, think about it further

and come back to you in writing, if that is acceptable.

Lorna Slater: Of course. In addition to looking for gaps, we are looking at whether there are ways of consolidating or imitating models that are used in other countries. We want to ensure that we have all the functions that we require to maintain standards in public life, with the system performing as it should, but we are looking at whether those functions need to be in quite so many places. Could you imagine the investigative and adjudicative functions being part of the same body, or is it really important that there be separate bodies?

Ian Bruce: As was mentioned at the start of our session together, we are talking about public trust in institutions. That is the key in respect of the question that you have just asked me. I am sure that we have all heard the term “judge, jury and executioner”. If I was the only arbiter and people had no route of appeal other than judicial review, which is an expensive process, and given that we are talking about members of the public potentially raising concerns about local councillors, I am not sure that that would—

The Convener: I am sorry to interrupt you, but Mr Fraser will touch on some of that in a moment. Specifically on the issue of international examples, which Lorna Slater asked you about, is there anything that you want to add from your engagement with peers in different jurisdictions and countries?

Ian Bruce: Sure. I might have mentioned in my written submission to the committee that I tend not to look at international models, but I certainly collaborate with my equivalent at Westminster in respect of MP and MSP conduct. There are overlaps with Westminster’s independent complaints and grievance scheme. We are in regular contact, and we share information and resources.

In respect of the councillor conduct side of things, I am in touch with my counterparts in Northern Ireland, which has a similar system, and with the ombudsman in Wales. We pool learning and resources. It is not quite international, but we certainly learn from one another in respect of those things.

To go back to the original question, I think that it is quite important that there is separation of functions and that people have somewhere to go, rather than having to engage legal advice, which can be quite expensive.

The Convener: Thank you.

Murdo Fraser (Mid Scotland and Fife) (Con): Good morning, Mr Bruce. It is nice to see you. I

will follow on from Lorna Slater’s line of questioning.

As a committee, we are interested in looking at potential consolidation across the whole landscape. There are too many commissioners, to put it bluntly. Are there economies that could be pursued? You have already addressed that question in relation to the Standards Commission for Scotland, but I want to probe that a little further. For complaints against parliamentarians, there is a check, because such complaints go to the SPPA Committee, which makes the final determination in relation to sanction. Are you saying that it would be prejudicial to complainers to have the Standards Commission and your office put together as one body?

Ian Bruce: I would not use the term “prejudicial”, but I would suggest that that approach would have the capacity to lessen trust in the system. I will use the same phrase again: “judge, jury and executioner”. If there is a single body—and the public view it as a completely single entity—that makes decisions about conduct, and there is no route of appeal other than, perhaps, by judicial review, I am not sure that they would feel that they had a proper hearing, for want of a better expression.

Murdo Fraser: You might not be able to answer this off the top of your head, but as a matter of experience and practice, how often does the Standards Commission reject a report that you have made against a councillor?

Ian Bruce: It does so occasionally. I am more than happy to come back to the committee with statistics covering the past year or the past few years.

Murdo Fraser: We can perhaps pursue this with the Standards Commission in a moment, but I am interested to know on what basis the Standards Commission would say that you have done an investigation and determined a breach of the code of conduct on the part of a councillor but that it takes a different view.

Ian Bruce: I will not say that that is a frequent occurrence, but it absolutely happens, and that is a healthy thing. At the end of the day, that is the Standards Commission’s role. It is completely independent of me, and I am independent of it. The commission convenes a panel of three to look at my decisions, quite independently. They reach their own view, and it absolutely happens that they do not agree with me 100 per cent of the time. I am more than happy to furnish the committee with figures on that.

Murdo Fraser: I think that it would be helpful to get an idea of whether we are talking about 10 per cent or above or below that figure.

Ian Bruce: Of course—by all means.

Murdo Fraser: Let me ask you a slightly different question, because the other area that the committee is interested in is the creation of new SPCB-supported bodies. Do you have any thoughts on what criteria should be prioritised when we consider that matter?

Ian Bruce: I think that you already have very good criteria, but I would suggest a couple of others. Let us be honest: one of the drivers for this review is finance, and I was quite surprised to see that affordability was not included in the current criteria for assessing whether a new commissioner should be created.

The other thing that I have suggested should be looked at—although I genuinely realise that it can be quite hard to quantify, as many things are—is whether the creation of a new commissioner represents value for money. That can be difficult to assess, particularly when it comes to advocacy bodies. There has to be a really sharp focus on precisely what they are meant to achieve and what difference they will make to people's lives.

The other point that I have made is that all of us—not just this committee, but Parliament, office-holders and others—should be looking at this matter from the perspective of a member of the public. What do they need? What do they want? How do we best deliver against their expectations? Those things are really important, but sometimes, we can get bogged down in details that are not entirely relevant to those key questions.

Murdo Fraser: That is exactly what the committee is trying to determine.

I have just one more question on the back of my colleague Richard Leonard's earlier questions about workload. You referenced a number of complaints against MSPs. As you will be well aware, I have had a number of complaints made against me; I am pleased to say that none of them has resulted in a guilty conclusion—at least, not yet. The complaints seem to have dried up a little bit recently, although I realise that, by making that comment, I might be giving a hostage to fortune. Do you keep a league table of the most-complained-about MSPs? [*Laughter.*]

Ian Bruce: I have been asked that before, funnily enough, by the SPCB in private session, but no, I would not dream of doing that.

What can I say? You will be aware that the legislation precludes me from talking about details in respect of members or complaints, and I take that responsibility very seriously. You have made your own commentary about complaints made against you, and I trust that any contact that you

have had with our office has been in keeping with the values that I endeavour to uphold.

Murdo Fraser: Yes, and I should say that I have found you nothing but professional and courteous in all your dealings with me. I appreciate that.

The Convener: We move to questions from Ash Regan.

Ash Regan (Edinburgh Eastern) (Alba): Good morning. I want to move on and ask you for your thoughts on scrutiny and accountability with regard to your office. As you will be aware, that was quite a strong theme that came through in the finance committee's inquiry, and that committee definitely had concerns about the level of scrutiny and whether it was appropriate. In your response, you have laid out the scrutiny and accountability measures that your office is subject to, but can you explain whether you consider them to be adequate? Can you suggest anything that would enhance that scrutiny and accountability?

Ian Bruce: Again, the committee will be familiar with the fact that there was a section 22 report on the work of the office. Since that time, scrutiny of my office has been robust and regular. I shared this with Suzanne Vestri earlier, but the security personnel at the reception desk now know me by name. The person had my pass ready for me, and she said, "Hello, Mr Bruce."

Towards the end of last year, I gave evidence to the Local Government, Housing and Planning Committee; I had one of my quarterly sit-down meetings with SPCB representatives to explore my governance and finance arrangements and where I was with my budget; I had a meeting with members of the SPCB themselves, who, again, wished to look at those issues; and just this month, I have been in front of the Standards, Procedures and Public Appointments Committee. I think that the scrutiny is robust and, indeed, adequate in respect of my own office—and rightly so.

10:00

For what it is worth, I find committee scrutiny really helpful. For example, when I produced a draft strategic plan, committee members had suggestions for me, which led to a change in the way in which the plan was drafted and some of the activities that I had laid out. They did not direct me but, through advice and questioning, they assisted me to determine how best my resources should be used for the next four-year period. That is very effective scrutiny in practice, and it is as it should be.

What more could be done? The truth is that committee resources are stretched. I am in front of

two subject committees at least once per year, and they question me on my annual report and accounts. That is what happens in public but, equally, I am more than happy to meet members or conveners in private. I invite them to ask me any questions at any point during a reporting year—I welcome that. If members are looking for research to be done or for answers to questions that are relevant to them, they know that they merely need to ask—I am more than happy to obtain that information for them.

How could things be strengthened? I have a suggestion, although potentially there are costs attached to it. As I say, committee time is limited, and it can take a while for members to get up to speed with some of the activities that commissioners engage in. Another thing that I do for new committee members is participate in their induction to give them a proper idea, again in private session, about the work that I do and the sorts of questions that they might want to put to me in the future. As I said, I welcome that scrutiny. Committees sometimes employ, for short periods, advisers who are expert in a particular area. That could supplement subject committee scrutiny.

Ash Regan: So, in summary, that is about better questions from the committee, then?

Ian Bruce: Well, potentially, but I suppose that that is predicated on members having the advice that they need. Members look at a lot in this Parliament.

Ash Regan: I know.

I will move on. You mentioned the Auditor General's section 22 report and said that it rightly shone a light on the levels of scrutiny. Have all the changes that were suggested now been implemented in full?

Ian Bruce: Yes—all of them.

Ash Regan: You have intimated that the report led to a positive benefit. Could you give us an example of that?

Ian Bruce: Complaints were not being properly assessed—otherwise, the Standards Commission would not have issued directions to my predecessor. It is probably important to say that I have gone further than the recommendations that were made. The recommendations were about getting the governance back on a firm footing and operating properly in my relationships with stakeholders. All those things have been repaired, but I have gone further. I have introduced new things to improve the quality of the service that I provide. Some of those will take a wee bit more time to bed in, but it is my hope and expectation that the public will have seen significant changes in the way in which I operate and that they will continue to see improvements in that.

Ash Regan: Thank you.

The Convener: Lorna Slater has a supplementary question, and then she can just go into her own questions.

Lorna Slater: I will follow on from Ash Regan's line of questioning. One thing that we are looking at is scrutiny and how all the commissioners fit in the landscape. Parliament watches Government, you watch the MSPs and it sounds as if the Parliament and the Standards Commission watch you. We assume that the voters are watching the Parliament.

On the place where you sit in the landscape, I think that Dr Ian Elliott said that you guys are a sort of a fourth branch of government—you are the ones who watch the watcher. Do you see the other SPCB-supported bodies as sitting within that same space of watching us in public life or, from your perspective, is what they do quite different from what you do?

Ian Bruce: They are all very distinct. Notwithstanding what I said about being proactive, there are acts of the Scottish Parliament that I must adhere to—that is the reality. I have a very distinct role, which is entirely different from the roles of my fellow office-holders. Again, their roles are very distinct. For example, nobody else is doing the work that the freedom of information commissioner does. The same is true of the Scottish Public Services Ombudsman—nobody else is fulfilling that type of role. Those types of roles are hallmarks of a mature and well-functioning democracy, which is about public trust and about checks and balances.

Lorna Slater: I am thinking about structure. Let us imagine a larger commissioner body—let us call it the commissioner for public trust—within which you would have ombudsmen, standards and so forth. Is that even feasible, or are the bodies just so different that they are really performing different functions?

Ian Bruce: I could see that as a model, yes. I could certainly see how that might simplify things for members of the public. This came up in recent evidence to the SPPA Committee. I meet with my fellow office-holders relatively regularly and we discuss how we might share services and do things differently. One of the things that we are talking about is setting up a public portal, so that people would not need to find out where to go if they were unhappy with their MSP, their councillor or a public service; they would access a single space and those types of inquiries would then be funnelled to the appropriate regulator.

Lorna Slater: I will come back to that in a second. In relation to public trust, I will loop back to the earlier discussion about your objections around the potential combination of an

adjudication function and an investigative function. Your objection to that proposal seemed to be not so much structural but about routes of appeal and public trust. If we were to come up with a framework that combined those functions, provided that public trust could be maintained and there were straightforward one-stop shop or portal routes for appeal, would that structure even be feasible, or is there some major objection to that?

Ian Bruce: I have no objection to anything. Everything is on the table, and it must be—that is the purpose of this inquiry. My point was about looking at this from the point of view of a member of the public. For example, if you combined the Crown Office with the judiciary, would a member of the public truly have trust in that system? That is the only observation that I was making.

Lorna Slater: That is brilliant. I will go back to the point about combining resources and having things such as a one-stop shop or portal. Are there any issues in relation to affordability or maybe even interaction with regard to sharing office space, websites and even being more physically closely located, or would there be issues in relation to trust in that regard?

Ian Bruce: No, I do not think that there would be such issues. I have no issue whatsoever with sharing resources, accommodation and so on, and I already do that—I made that point in my submission to the committee. Although I am not one of the office-holders that is located in Bridgeside house, I am already in the public sector estate. Our office has a small footprint. We have 10 workstations and I have 19 staff, so it is not a large office—we could not have everyone in the office and actually working at the same time. We share meeting rooms and so on with the other public sector bodies with which we are already co-located. The public money that we expend on accommodation all stays within the public sector system, because it is public sector accommodation. We rent our offices from the Scottish Legal Aid Board, and there are already any number of public sector bodies co-located with us, so that is something that we already do.

Lorna Slater: That is brilliant. I liked what you said about the portal and the one-stop shop. The committee should continue to consider that, including whether that might mean creating, for example, an office of public trust that has all those things, so that people do not need to know whether they have to go to the ombudsman or the Standards Commission, for example.

The Convener: If colleagues have nothing further that they want to ask, I have one final question.

You talked earlier about the strategic plan, which, as we all know, is set in legislation to run

for a period of four years. Is that an adequate timeframe? Would a longer or shorter timeframe have a positive or negative impact? Do you have any feedback on the strategic plan timeframe?

Ian Bruce: I think that four years is a good term, because a lot can change in four years. The reality is that I need to consult on it at least every four years, but that does not mean that I and other officeholders cannot pivot during the period of a strategic plan.

When I came in as acting commissioner, one of the first things that I did was review the strategic plan that was in place at the time. I decided that, even though its term still had quite a bit of time to run, it was not adequate and it was not going to meet public expectations. To give you a simple example, there were no values in that plan. If there had been, it might have been easier to hold the office to account earlier for not following them.

There is scope to change a strategic plan during its period anyway. As long as I and other officeholders are consulting the appropriate authorities in order to make those changes, there is scope for us to do that.

The Convener: Would you like to say anything else?

Ian Bruce: No, other than that it is fascinating to be here because it is an interesting inquiry, and I am more than happy to assist. I have already undertaken to provide a couple of bits of information, but, if it occurs to the committee that I could provide anything else of value, please do not hesitate to ask.

The Convener: We look forward to receiving those two bits of follow-up information that you kindly undertook to provide in writing. Thank you for attending today, Mr Bruce.

10:12

Meeting suspended.

10:18

On resuming—

The Convener: I am pleased to welcome to the committee Suzanne Vestri, convener of the Standards Commission for Scotland.

As we did with our previous witness, we will go straight to questions, and my first question is quite generic.

How do you perceive the current role of the SPCB-supported bodies in enhancing public trust and confidence in public life in Scotland?

Suzanne Vestri (Standards Commission for Scotland): To start with, I will talk a bit about us.

That role is at the very core of what we do and what we were set up to do.

If we have the ability to assure the public that there is a standard code of the behaviours that we expect from our local councillors, if the public is aware that there are robust systems and sanctions in place for when people breach the code, for whatever reason, and if the public can be confident that their elected politicians at a local level are making decisions in the public interest and not their own, that will all work not only to enhance trust in public life, but to support participation, particularly participation by excluded groups. We see that as the work that we do—we exist to enhance and ensure trust in public life at a local level.

The Convener: Thank you. Of course, that is, in your case, particularly relevant with regard to local councillors. What do you consider the purpose of an SPCB-supported commissioner to be, particularly in your case? How does it differ from that of ministers, MSPs and other public bodies? What is the importance of your independence in all of that?

Suzanne Vestri: Our important function is to be independent, non-partisan and truly objective, and to bring that independence and objectivity to decisions on alleged breaches of the code in what can be a highly-charged political atmosphere. Our independence and impartiality are essential because, on occasion, those breaches have arisen from the nature of public or political discourse. The sanctions that we have the power to put in place can actually have quite a decisive impact on the running of a council at local level, particularly as more local authorities are coalitions or minority administrations.

I think, therefore, that ensuring that independence of thought is crucial to our work. We could not do the work that we do without that independence and separation from the body politic. In turn, it is crucial that we are reassured that the Parliament and the SPCB are scrutinising the work that we do.

The Convener: In recent years, we have seen changes to the “Code of Conduct for Councillors”. I am sure that the always-changing environment of public life has given rise to some considerations for you and your colleagues as to how, as the Standards Commission, you promote awareness of and compliance with the ethical standards expected of those in public life. What challenges have you faced in that regard?

Suzanne Vestri: Our work falls into two quite distinct parts. One is adjudication, which I am sure we will come back to later; and the other is promoting the code, and awareness of it, and that is possibly an area of work where we are more

pushed. Demand definitely exceeds supply. However, I should point out that the work that we do is at both the national and local levels; we will work with specific public bodies or councils, but we are trying to work with monitoring and standards officers at the national level, too.

We spent yesterday looking at ways of raising awareness of the codes and their existence among the public. We feel that there is a wider piece of work to be done in collaboration with others about the importance of local democracy and standards and in raising awareness of the fact that there are quite stringent standards for local councillors and public bodies. There is definitely a role for us to play in a national discussion and in awareness raising to enhance the reputation of local government and public service and thus encourage more people to get involved.

The Convener: People need to know where you are and that they can come to you, to return to themes that we touched on earlier.

Suzanne Vestri: Yes, absolutely.

The Convener: Thank you for those initial answers. I move to Richard Leonard.

Richard Leonard: Thanks very much. Good morning, Ms Vestri. On the last point that you made, to what extent is the Standards Commission regulatory only, to what extent does it have any kind of advocacy role, to what extent is it reactive—just dealing with complaints as they come through the system—and to what extent do you see your role as being proactive?

Suzanne Vestri: Our role is regulatory. We have a tight remit enshrined in the Ethical Standards in Public Life etc (Scotland) Act 2000, and we have not sought to move beyond that remit. We are always quite clear about where others are better placed than us to do certain work.

Our role is primarily regulatory. However, to lower demand in terms of the number of cases that are brought before the commission, we also have roles in raising awareness of the codes, training, explaining, issuing guidance notes and advice notes and always looking to see whether there are potential changes to the act to be made.

We are both proactive and reactive. The casework is reactive. At the start of a year, we do not know how many hearings we will get. We work closely with the Ethical Standards Commissioner to monitor that flow as it comes through.

Our proactive role is in going out and trying to lift the standard in the organisations that we deal with. We start from the standpoint that most public appointees and local councillors want to do the right thing. Our role is really to highlight and enlighten, while also making clear the sanctions

that are available to the commission should standards not be met.

Richard Leonard: You have touched on this already, but is your current statutory remit sufficient? You seemed to suggest just now that you think that it is—or that it is what you are working to, obviously. Do you see any limitations in that regard, and could you see any extensions to the powers that you currently have?

Suzanne Vestri: Those are two slightly different things. On remit, I think that organisations—larger organisations, in particular—always have a tendency to grow outwards and expand their remits. However, we have a very tight remit that is enshrined by law, and we are not really able to go beyond that. That suits us, because we have to be able to concentrate on doing what we do well.

However, that is not to say that we have not already approached the Parliament with a list of proposed suggestions, drawn up jointly with the Ethical Standards Commissioner, for changes to the way that the system works and to widen our powers, if not our remit, so that those powers still sit within the remit that we have—for example, the power to dispose of cases without perhaps going to a full hearing. As we have learned the way that the system works, we are now at the point of being able to suggest changes to perhaps make the system more efficient and cost effective.

Richard Leonard: Are those proposed changes to procedure?

Suzanne Vestri: They are changes to powers.

Richard Leonard: To powers?

Suzanne Vestri: Yes. For example, at the moment, if we find a breach and decide to hold a hearing, we have to issue a sanction, and the only sanctions that are available to us are censure and suspension.

We are looking for the ability not to have to hold a hearing in cases in which, for example, a councillor puts their hands up and says that they did not register their interests in time. That is a breach of the code but, if they apologise and rectify the mistake quickly, would it not be better, from a proportionality point of view, to agree on a warning without having to have a full hearing and to pull in witnesses? It is about widening the powers within our remit in order to dispose of cases more effectively.

10:30

Richard Leonard: Is that proposal in the public domain? Can we get a copy of it?

Suzanne Vestri: Yes. I cannot remember whom we sent it to—I am looking at Mr Bruce—but I can definitely forward it to you.

Richard Leonard: Thanks.

Suzanne Vestri: It contains proposed amendments to the 2000 act.

Richard Leonard: That would be helpful. Would that require primary legislation?

Suzanne Vestri: Yes.

Richard Leonard: Wow! Okay.

Suzanne Vestri: We are not holding our breath in relation to parliamentary timetabling, because we know how busy things are, but we have been assured that, if those things can be worked in at some point, they will be.

Richard Leonard: I am not sure whether you were on the commission at the time but, with Mr Bruce's predecessor, there was a test of the powers and the relationship between the Standards Commission and the Ethical Standards Commissioner, was there not? There was a bit of a dispute, to put it mildly, between the Standards Commission and the former commissioner. I do not know whether you were there at the time, Ms Vestri, but it would be interesting to get the commission's perspective on that, on whether that led to any conclusions about the distribution of power between the two and on whether the Standards Commission's powers are sufficient.

Suzanne Vestri: I was lucky to be appointed after that. I started in February 2022, so I came in at the tail end of that, at the time of the report. The directions that the Standards Commission had issued were already in place when I started, but I was part of the process of working to remove them. That involved being assured that the necessary safeguards were in place in the Ethical Standards Commissioner's office so that, over time, the directions could be removed one by one.

To me, that emphasises the need for the separation of powers. We have powers to issue directions, but we use them very sparingly. We would use them only after consultation with the Ethical Standards Commissioner and other interested bodies, including the SPCB. In relation to all our concerns, we have been assured that all the things that we felt were not being done have now been embedded in the investigations manual and the framework under which the Ethical Standards Commissioner's office works. We were happy to remove the directions, and there are now none.

Richard Leonard: Okay, but do you think that they did their job? Were they part of the process of reforming the organisation?

Suzanne Vestri: Are you talking about the directions?

Richard Leonard: Yes.

Suzanne Vestri: Definitely. My personal opinion is that the existence of the directions focused attention in the SPCB and, perhaps, the wider Parliament. The directions gave a clear steer to the Ethical Standards Commissioner. The office was facing a huge amount of upheaval, and the directions gave it a clear set of expectations to work to. I think that the directions had their place, because I do not think that we would be where we are now without them.

Richard Leonard: Okay. I will move on to a couple of other areas. In your submissions, you have emphasised the importance of collaboration to avoid duplication and overlap. Could you give us some examples of collaboration with other SPCB-supported bodies and say how that has enhanced the effectiveness of the work of the Standards Commission?

Suzanne Vestri: We work as closely as we can with the Ethical Standards Commissioner's office, given the very separate functions that we have, and we also have a working relationship at an officer level with the Scottish Public Services Ombudsman. I know that Lorna Johnston, our accountable officer, meets the other office-holders as part of the office-holders framework. We have taken on shared services with them in order to try to reduce costs where we can.

Our remit is so tiny and so tight that there is a limit to what we can do in terms of going out and taking on new bits of work with other people. We have not been resourced in terms of staff to do that, so we keep quite a tight focus.

Richard Leonard: I have never bumped into the Standards Commission in a professional capacity, but am I right in thinking that you are located in the Scottish Parliament building?

Suzanne Vestri: Yes. We have 3.1 full-time equivalent staff—only one of our staff is full-time. They are based here and also work remotely. The members, who are all part-time, work from home—we are not based here.

From talking to the staff team, I know that they find being located here really useful. It has given them access to a range of services that are provided by the SPCB that an organisation of our size would struggle to find elsewhere. We are aware that we are quite a small fish in a big pool of commissioners, but I think that we are very focused and efficient, and the feedback from the staff has certainly been that they find it really cost effective to be here and to have access to the advice and support that they get.

Richard Leonard: My final question relates to the performance issue. How does the Standards Commission measure and demonstrate its outcomes? Do you have any kind of evaluation

process that leads you to identify any improvements that can be made?

Suzanne Vestri: We have a range of measurements. We develop a four-year strategic plan, which is absolutely tied into our statutory remit, and we have annual business plans, which work to deliver that strategic plan. We have key performance indicators that are internally and publicly available and are assessed by the members of the Standards Commission—as well as doing hearings and being adjudicators, we also function as a board for the commission, so we have that scrutiny role over the organisation in terms of assessing performance against the service charter and KPIs.

All the business plan actions are measurable, which enables us to look at performance against those actions. In terms of assessment, we are internally audited and externally audited. We have an audit and risk committee that examines risk three or four times a year.

We also gather a lot of feedback, including feedback from people who have been involved in the hearings process. The feedback that we get is generally very good. Even when people have disagreed with the decision that we have made, they have been appreciative of the independence, support, rapid response and politeness of the service, and the help that they get when going through the process.

When we were before the Local Government, Housing and Planning Committee recently, I talked about some more external indicators of change in connection with questions in the Scottish household survey about the level of trust that people have that their local councillors are making decisions in the public interest and are acting with integrity. We have drafted some questions in that respect, but my only concern is that many other things can affect the public's attitude to their councillors. It could be that they have approved a wind farm, say, or done something that a constituent does not like. It is not a very accurate measure, but if we are looking to try to steer the overall direction of public trust, that might be the way in which we need to go.

Richard Leonard: Or—and I say this in the interests of balance—they might not have approved a wind farm going ahead.

I have no more questions, convener.

The Convener: Thank you very much. I call Murdo Fraser.

Murdo Fraser: Good morning. I think that you were here for the questions that I asked Mr Bruce, and I want to ask you the same question as I asked him about the relationship between the Ethical Standards Commissioner and the

Standards Commission. Do we need both bodies? Given that the committee is looking at the whole landscape of SPCB-supported bodies, would it be possible to have, in effect, one body doing the work? I am interested in hearing your perspective on that question.

Suzanne Vestri: It is important to come to the exercise with an open mind. The very act of being asked to make a submission, being asked questions and so on has prompted us to do a bit of critical thinking about why, exactly, we think that we need to be this way or that way. After all, it is tempting to go on just as we are, unless we are, on occasion, asked searching questions.

This picks up Mr Bruce's point about the importance of the separation of the powers of investigation and powers of adjudication. We pulled together the figures that you had asked Mr Bruce to provide for one of the committees just before Christmas. However, I should say that we can disagree with the Ethical Standards Commissioner's recommendations. We have two chances to do that. The first is at the section 16 stage: that is, section 16 of the Ethical Standards in Public Life etc (Scotland) Act 2000. That is when we decide whether to hold a hearing. It might be that the Ethical Standards Commissioner's office has recommended that we do not hold a hearing because there has been no breach, or that there has been a breach, and we have the chance to examine the recommendation at that stage and to agree or disagree with it. At the hearing, we listen to the evidence and witness submissions that are presented and we question the Ethical Standards Commissioner, or his office, on their case. We are able to agree or disagree, at that point.

I think that that separation of functions and powers is very important. I can see that, if they were all part of the same organisation that might be difficult.

Yes, we disagree—but we agree, too. It is made very clear to respondents by the Ethical Standards Commissioner's office that it is the Standards Commission that makes the final decision, and that it might not be the recommendation that the commissioner has proposed.

The Convener: I would like you to clarify. You said that it would be very difficult to do that if you were in the same organisation, but it would not be impossible, practically or in principle, would it? I am not saying that this is a conclusion that the committee has come to. I just want to probe the issue slightly more.

Suzanne Vestri: That would not be impossible, practically, but if what you are doing is looking to save money, for example, you might not necessarily do so by doing that. After all, 87 per

cent of our costs are salaries and, if you like, member time. I think that, in terms of principles, it is important that the bodies are separate.

The Convener: Thank you for that elaboration. I am sorry, Murdo.

10:45

Murdo Fraser: No—that was very helpful, convener.

I am racking my brains trying to think of a body in which there is an investigating function and a board that determines, and in which that is done in-house. I cannot think of one, off the top of my head, but we will go away and have a think about that.

Suzanne Vestri: There might be a reason for that.

Murdo Fraser: Exactly. You might be right, but we will go away and have a think about it.

I have a slightly different question on the creation of new commissioners. We are interested in the criteria for the establishment of new commissioners or, as we call them, SPCB-supported bodies. Do you have any thoughts on the criteria as they stand, and how they could be improved?

Suzanne Vestri: We have suggested some additions or amendments. Although I made the case that I have just made, I think that it is very important that we consider whether the work could be done as well by an existing body, because there might be capacity there. Somebody else might already be doing part of the work, and avoiding duplication of functions is very important.

The question of cost-effectiveness is also important. We need to consider what we want to get from a new body versus the cost. Setting up a new organisation is not cheap. It sounds odd to say this, but we need to consider whether we can afford it. There are lots of things that we might want to do, but can we actually afford to do them? Setting up such a body is not a cost that goes away—it is not a one-off.

You have to be absolutely clear and tie in the perceived need, the planned outcomes or achievements and the cost, then look to see whether the work could be better done elsewhere. I know that it is rather odd to say that, considering the arguments that I have just made about our organisation. Value for money is underrated, sometimes. I think that politics can be about expressing will and addressing need, but we need to balance that against what we can afford.

I feel that I am straying beyond my very tight remit.

Murdo Fraser: That is all right. We are interested to hear your thoughts.

I have one more question, which is a little off topic, but I will ask it because you are here. It is about how the Standards Commission views how councillors function. I have heard examples of councillors who are in opposition being told by council officers that political criticism that they make of the council is a breach of the code of conduct. It seems to me that that is a stifling of legitimate political debate. In effect, they are bullied into not voicing public criticism of the council by officers telling them that they will be reported to the Standards Commission. I will not do so in public, but I could give you examples of that.

Given that you are the convener of the Standards Commission, can you reassure me that, in such circumstances, councillors would not be found guilty of a breach of the code of conduct for making a legitimate political criticism of council decisions?

Suzanne Vestri: I will address that in two parts. It is a live issue, as you acknowledge. It was brought to our attention last year by monitoring officers, who said that councillors felt and perceived that that was happening. We have updated our guidance on how to perform effective scrutiny in a way that does not breach the code. In particular, that involves the sections of the code that are about working in an atmosphere of mutual trust and respect with council staff, which is the bit of the code that we are talking about.

There are also parts of the code about not bringing the council into disrepute. I know that it is perfectly possible to adequately and robustly scrutinise an organisation without falling foul of the code. We expect people to scrutinise and to stay within the code.

The Convener: I appreciate the question, Mr Fraser, and your diligence in answering it, Ms Vestri, but I am concerned that were slightly going beyond the remit of the committee—

Suzanne Vestri: I am happy to deal with the issue separately.

The Convener: We appreciate that undertaking. As well as following up in writing with Mr Fraser, perhaps you could copy your response to the Local Government, Housing and Planning Committee. I know from my experience as Minister for Social Security and Local Government and taking through an update to the code—

Suzanne Vestri: I think that that committee might have raised the issue with us last year.

The Convener: —that it would be interested.

Are you content with that, Murdo?

Murdo Fraser: Yes. Thank you for your forbearance, convener.

The Convener: Thanks. Are you finished?

Murdo Fraser: Yes, thank you.

The Convener: Lorna Slater has a supplementary question.

Lorna Slater: I want to look in more detail at the relationship between your organisation and the Ethical Standards Commissioner. We have talked about the investigative function versus the adjudicative function, and you feel that it is really important that those are separate. I wonder how much of that is packaging. You said that your organisation performs as the board for the Ethical Standards Commissioner. You are already part of the same organisation, but there is this sort of separate—

Suzanne Vestri: No—we are the board of the Standards Commission, not the board of the Ethical Standards Commissioner. I apologise if I misspoke.

Lorna Slater: That is fine. I probably misunderstood. Thank you for clearing that up.

You adjudicate only on councillors and one other group.

Suzanne Vestri: Public bodies.

Lorna Slater: The Standards, Procedures and Public Appointments Committee covers MSPs and lobbyists.

If we are looking at consolidating or restructuring the framework, the adjudication function needs to be separate. That does not necessarily need to be done by a commissioner, though. Maybe the Convention of Scottish Local Authorities could do it. What are your thoughts on that?

Suzanne Vestri: The Standards Commission was established early in the Parliament's life. That is a measure of the importance that the Parliament at that time decided to place on standards in public life, and it was a very clear decision. COSLA can be seen as a political organisation. It works to advocate for local authorities rather than to regulate them. That would be a difficult relationship to square, for a number of people.

You do not need to call the Standards Commission the Standards Commission, but the fact that Parliament established the body at the beginning of its life gives a sense of the importance that was placed on the body.

You asked Mr Bruce about international organisations. I do not know whether you will put that question to me at some point.

Lorna Slater: Yes—please cover that.

Suzanne Vestri: We have really good relationships with our contemporaries in Northern Ireland and Wales. England does not have a statutory national framework for councillors, but the new UK Government has committed to reviewing that. Last week, we met the Home Office, which is looking at various models. It sought our advice on what works and what does not work. What we have in Scotland is viewed as the standard among our peer group, so we should be careful about watering that down in any way.

Lorna Slater: My final question is one that I raised earlier with Mr Bruce. You might have a view on it, as well. He said that possible issues with consolidation of bodies include the maintaining of public trust and having straightforward routes of appeal. Have you any thoughts on those?

Suzanne Vestri: There is no statutory right of appeal in terms of the Ethical Standards Commissioner's investigations into local authorities and public body members. There is a right of appeal against a sanction that is set at a Standards Commission hearing. People can—and do—lodge appeals with the sheriff against our decisions, if they feel that there has been a procedural fault or that either the decision or the sanction is harsh. Consequently, when we write our reasons, we are aware that they have to be sufficiently robust and independent to withstand a sheriff's scrutiny.

I do not know whether I have answered your question.

Lorna Slater: You have. It was on your concerns about routes of appeal were bodies to be combined. That is great. Thank you.

The Convener: In that space, would you like to say more about the point that I touched on in my initial questions about accessibility and the ease with which members of the public can approach you and access your services? Lorna Slater asked our previous witness about that.

Suzanne Vestri: We make it very clear to people that if they want to complain they need to go to the Ethical Standards Commissioner. However, we answer their general questions—for example, about the code.

Our relationship with the Ethical Standards Commissioner's office is strong: it has been forged through hardship and difficulties. It is still a relationship of quite positive tension, in that we constantly give each other feedback. We come at the process from a different angle from that office, so we constantly give each other feedback and consider how we can improve our work within our remit. There is a very positive relationship, but it is based very much on the fact that we have two different things to do and two different roles in the

system. It is not a cosy relationship, but it is an incredibly positive one.

The Convener: Okay. Thank you very much.

Ash Regan: Good morning. I want to ask about the scrutiny and accountability functions. You will know that in its report the Finance and Public Administration Committee expressed what it is fair to say were quite serious concerns about levels of scrutiny and accountability across the whole piece—not specifically in relation to the Standards Commission, but everywhere.

In your response to the committee's call for views you said that levels are "adequate". I put a question about that to Mr Bruce, earlier. I have reflected that "adequate" is probably quite a low bar in that regard. Could more be done? Can you suggest additional ways in which scrutiny could be enhanced to benefit both the service and the impact on the public?

Suzanne Vestri: We meet annually with the Local Government, Housing and Planning Committee, which covers our work on local authorities. We do not yet meet the Standards, Procedures and Public Appointments Committee, which covers our work on devolved public bodies. Part-time members meet the SPCB annually because we are appointed by that body. Like the other commissioners, I am appraised by the independent assessor.

I do not want to echo Mr Bruce too much, but my personal reflection is that we seem to be waking up to that issue a bit. I agree with the finance committee's assessment.

I think that we could be asked harder questions—that would not do us any harm at all. Any process such as that prompts learning and improvement in an organisation. I do not want to say that there should be better questions; perhaps I would say that more time should be spent on the questions, bearing in mind the constraints that you have.

I think that there was a suggestion in the committee's papers about having a combination of light-touch inquiry and periodic deeper dives into the work and achievements of the organisation. That might be something to consider. Scrutiny works, but I agree that it could be better.

11:00

Ash Regan: I agree. Can you confirm to the committee that the governance changes that were suggested in the Auditor General's section 22 report have been implemented in full?

Suzanne Vestri: Yes.

Ash Regan: Can you give an example of positive benefits that have come from that implementation?

Suzanne Vestri: The report was into the work of the Ethical Standards Commission rather than us, but it has prompted us to examine our internal audit and risk management processes. I have been a board member of other public bodies at the national level, and I think that the Standards Commission's focus on risk and financial management is the best that I have seen. That might be because that is easier when you have a smaller budget, a smaller staff count and a tighter remit, but we are incredibly tight in the way that we manage our finances and manage risk across the year.

Lorna Slater: I have two more questions. You have already spoken about your office situation, your resources and so on, so I will not go into those.

My first question is a little bit like the question that I asked Mr Bruce about gaps. You do not adjudicate decisions about MSPs or lobbyists. Should you? I know that there has certainly been debate in Parliament about the potentially political nature of some of the decisions of the Standards, Procedures and Public Appointments Committee. Is that a gap? Are we insufficiently independent in that adjudication?

Suzanne Vestri: I would be reluctant to comment on how the Parliament adjudicates itself. I know that the English review process is looking to include community councils. It is not something that we could do without a huge increase in resources—it would make us a very different organisation to the one that we are. I suppose that the same answer is true in relation to widening scope into the parliamentary sphere. Resources would be important, and I think that it would need a slightly different skill set from our members, because parliamentary adjudication can be viewed as being politically charged, which would have implications for recruitment and so on. Most members have experience of local government, tribunals and so on.

If we had a blank sheet, would we design what we have now? I think that we would not. I think that we would design something that was more encompassing, if you like. It is a really good question.

Lorna Slater: I will follow up on that a little, because the committee wants to look at the overall framework. Clearly, we do not have a blank slate, but I think that we need to look at the landscape with fresh eyes, as if we were designing something new, so your suggestion that we would not necessarily end up where we are now if we were starting with a blank slate is interesting. I will

take that on board, and we can all think about whether there is a gap in relation to the independence of the process of how our Parliament scrutinises itself. As I said earlier, part of the reason for examining the framework is to find out where there are gaps, so that we can improve the system. It is certainly not solely about affordability, cost and so on: it has also got to be about making sure that it works and that it builds trust in public life.

I hypothesised with Mr Bruce about the formation of a larger body that might be called the office of trust in public life, or something, which might encompass the work of the Standards Commission, the Ethical Standards Commissioner and the Scottish Information Commissioner as well as, possibly, ombudsmen and so on. Can you imagine such a thing? Are those bodies all positioned in the same space in terms of public scrutiny, or are they very disparate?

Suzanne Vestri: I think that the suggestion is potentially exciting, in the sense that it might have the ability to raise the standards bar across the political landscape rather than having us all battling away at our own sections of it, as it were. I think that that could enhance the reputation of public bodies and trust in public life, because I assume that it would have a bigger footprint in terms of the public debate and public presence. It is an exciting idea.

Richard Leonard: I have a supplementary question. Earlier, you dismissed the idea of COSLA adjudicating over councillors, so how do you feel about the Scottish Parliament adjudicating over MSPs?

Suzanne Vestri: That is a cruel question, Mr Leonard, but a very sharp one.

There is an acceptance generally that people marking their own homework is not a great idea. However hard you try to put walls in place and so on, the key issue is public trust and public perception—it involves what people see being done rather than what actually is done. Can I leave my comments at that?

Richard Leonard: Absolutely.

The Convener: I have one last question, which relates to something that I raised earlier. Our remit is to consider the SPCB-supported bodies, but you have interactions with the Government, as well as with the Parliament. Do you want to say anything about your role in, for example, engaging with the Scottish Government on the code of conduct for councillors? There are parts of your work that are important in that regard.

Suzanne Vestri: That engagement has been really positive. When we drafted the December 2021 code, which, again, was before I started, the

help and advice that we got from the Government was absolutely essential. As with most commissioners and office holders, the key part of our work involves building relationships and developing ways to most effectively get work done and to get even better outcomes through collaboration. We have had nothing but support and good advice from the SPCB and the Government in the work that we have done.

The Convener: Thank you. I thought that it was important to mention that you work across Parliament and the Government in your interactions.

Do you want to say anything that you have not had a chance to say in answer to our questions?

Suzanne Vestri: I do not think so. I will add only that I like to think that we have an impact that is disproportionate to the size of our organisation, which is testimony to the people who work for us and the support that we get from across the political spectrum.

The Convener: With that, I thank you again for your time and evidence today, and for undertaking to provide written correspondence to the committee and separate correspondence to Mr Fraser and one of our other committees.

Next week, the committee will be will take evidence from the Scottish Public Services Ombudsman.

That concludes the public part of our meeting. As agreed, we will now move into private session to consider today's evidence.

11:09

Meeting continued in private until 11:23.

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