



Commissioner for Ethical Standards in Public Life in Scotland

Mr Kevin Stewart MSP
Convener
Local Government and Regeneration Committee
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

15 May 2015

Dear Mr Stewart MSP

CODES OF CONDUCT – ARMS LENGTH ORGANISATIONS

Thank you for your letter of 22 April addressed to David Robb, Chief Executive of the Office of the Scottish Charity Regulator and to me. In addition to discussing our response to your letter, we are making arrangements to institute regular contacts between our offices.

In response to Clare Adamson's specific questions, I can confirm that there has not been any contact between the two offices recently on any complaint involving councillors who sit on ALEOs. I would expect that any such complaint would be made to my office, as the Councillors' Code is expressly applied to the actions of councillors when carrying out the duties of bodies to which they have been appointed or nominated by the council (section 3.17). However, I can confirm that no complaints have been received by this office in the period from 1 April 2012 to 31 March 2015 in relation to the conduct of councillors on ALEOs.

I am aware of the report on ALEOs published by the O.S.C.R. in January of this year. Paragraphs 4.10 and 4.11 discuss the issues of funding arrangements and dependence on local authorities. It seems to me that these are the areas in which conflicts of interest are most likely to arise for councillors appointed to ALEOs. In any situation of that nature, it will be important for councillors to ensure that such interests are declared and, where they are significant, consider very carefully whether it is appropriate to participate in any discussions or decision making in meetings of the council, its committees or of the ALEO.

We will ensure that our regular contacts allow any issues of potential relevance to be properly explored.

Yours sincerely

Bill Thomson
Commissioner

Copy to Mr David Robb, Chief Executive of the Office of the Scottish Charity Regulator

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