



The Scottish Parliament  
Pàrlamaid na h-Alba

Kenneth Gibson MSP,  
Convener, Finance and  
Public Administration  
Committee

Local Government, Housing and Planning Committee  
The Scottish Parliament  
Edinburgh  
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7 May 2024

Dear Kenneth,

### **Scotland's Commissioner Landscape: A Strategic Approach**

Thank you for giving my Committee the opportunity to contribute to your inquiry into 'Scotland's Commissioner Landscape: A Strategic Approach'.

I'm sorry that I was not able to join you for your Committee's evidence session on 14 May, but unfortunately my Committee is meeting at the same time.

I welcome, however, the opportunity to provide comments in writing.

As you will be aware, the Local Government, Housing and Planning Committee scrutinises the work of the Scottish Public Services Ombudsman, the Standards Commission and the Ethical Standards Commissioner. In the case of the Ethical Standards Commissioner it should be noted that our interests are limited to the Commissioner's role insofar as it relates to local government.

To date we have held these bodies to account through the undertaking of annual sessions, which have focussed around their annual reports.

We have also involved both the Ethical Standards Commissioner and the Scottish Public Services Ombudsman in other aspects of the Committee's work. For example, the Ethical Standards Commissioner has contributed to the Committee's work on understanding barriers to local elected office, while the Scottish Public Services Ombudsman has informed the Committee's work on building safety and maintenance. We do not feel that their contributions to other aspects of our work have in any way undermined our capacity to hold them to account for their performance.

We do, however, believe that there are improvements which could be made to the way in which we scrutinise the work of these bodies.

Specifically, we note that there is currently no scrutiny of the specific budgets of these bodies separate from the scrutiny of the wider SPCB budget. We consider that there would be value in committees undertaking scrutiny of the proposed budgets of commissions, commissioners and ombudsman accountable to them. Committees could then feed any recommendations arising out of that scrutiny into your Committee's scrutiny of the wider SPCB budget. This seems particularly critical at time of reduced budgets, but would seem a prudent approach irrespective of the economic climate.

As noted earlier, we take evidence from these bodies annually. There is a limit, however, to what can be achieved in a one-off session with an ombudsman, commission or commissioner discussing their annual report. We think there would be value in committees undertaking a more thorough review of these bodies once a session. Such a review could involve engagement with stakeholders and individuals who have engaged with these bodies and would hopefully provide committees with a better understanding of how effectively these bodies are operating.

More generally, while my Committee does not have perspective across the Commissioner landscape, it would appear clear from the bodies the Committee does engage with that more could be done to improve understanding of their roles. For example, it is very doubtful that there is broad understanding of the differentiation between the roles of the Standards Commission and the Ethical Standards Commissioner.

I hope this is of help to your inquiry, but please let me know if you would like to explore any of these issues further.

Yours sincerely,

Ariane Burgess  
Convener, Local Government, Housing and Planning Committee