



# Commissioner for Ethical Standards in Public Life in Scotland

Huw Williams  
Head of Officeholder Services  
The Scottish Parliament  
Edinburgh  
EH99 1SP

13 March 2014

Dear Huw

## **Commissioner for Ethical Standards – Budget 2013/14 Request for Contingency Funding**

I wish to request additional funding for our 2013/14 budget. The budget awarded is £797,000 and, based on current estimates, our expenditure is likely to be £815,500, requiring an additional £18,500 in funding.

One of my functions as Commissioner is to investigate complaints about the conduct of local authority councillors, members of public bodies and MSPs.

In the 11 months to the end of February, the number of complaints received has increased by 44% compared to the same period last year. The number of complaints investigated and closed has increased by 60%.

Each complaint is assigned a case number. Where a number of complaints have the same or related subject we will group them together and investigate these as a single case. In the 11 months to the end of February, the number of cases received has increased by 18% compared to the same period last year. The number of cases investigated and closed has increased by 31%.

We request an additional £18,500 funding to cover the cost of servicing this rapid increase in demand.

### **Background**

To assist me in investigating complaints about the conduct of local authority councillors, members of public bodies and MSPs, I have a team of Investigating Officers (IOs). IOs are employed on an hourly basis and their employment costs vary depending on the volume and complexity of complaints received.

In order to prepare our annual budget we review IO activity in previous years. This indicated that around 360 days were required in 2013/14. Based on previous experience, I was reluctant to drop the budget so far and considered 405 days, equating to £125,160, a reasonable allowance.

**Commissioner for Ethical Standards in Public Life in Scotland**

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As at 10 February, 441 IO days have been used. We estimate a total of 509 days will be required by the end of the financial year (31 March 2014).

I have reviewed whether any other element, such as the induction of newly recruited IOs and the increasing complexity of some complaints, may have contributed to higher costs. In 2011/12 a complaint took an average of 1.7 days to complete and 1.8 days in 2012/13. As at the end of February, a completed complaint was taking 1.8 days. The number of days taken to complete a case has increased from 2.5 days in 2011/12 to 2.9 days in 2012/13 and 3.4 days to date this year. This may reflect the increasing complexity of cases.

A table outlining IO activity in more detail is available in Appendix A.

As at 10 February, £150,318 has been spent on IO activity. We estimate a total of £173,600 will be required by the end of the financial year (31 March 2014). The result is a £48,440 over spend in the IO budget.

We identified in the first quarter of the year that complaint activity was high and put in train a number of other plans to make savings elsewhere in the budget to offset this. These savings were generated in the following areas:

Staff costs by introducing further flexible working and the impact of resignations and re-grading	£15,400
Staff travel and training	£4,700
Legal fees	£4,500
Appointment activity	£5,400
<b>TOTAL</b>	<b>£30,000</b>

By doing so we have reduced the potential over spend to £18,500.

We have delayed submitting a contingency funding request to the SPCB until March in the hope that further savings in legal fees and appointment activity could be achieved. However, legal counsel was required in February for a hearing held by the Standards Commission for Scotland and there has been an upswing in appointments activity reducing the savings we had hoped to achieve.

In summary, I wish to submit a request for contingency funding of £18,500. The need for additional funding is demand driven and solely down to an increase in the number of complaints we have received.

If you require any further information please contact me.

Yours sincerely



D Stuart Allan  
Commissioner for Ethical Standards in Public Life in Scotland

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## APPENDIX A

### INVESTIGATING OFFICER ACTIVITY

April 2011 – March 2014

	2011/12	2012/13	2013/14
Total CESPLS Budget	852,000	798,000	797,000
Total Cash Expenditure	807,329	769,705	815,457*
Variation	(44,671)	(28,295)	18,457*
Investigating Officer Budget			
Days	410	435	405
£s	119,554	131,295	125,160
Investigating Officer Out-turn			
Days	366	345	509*
£s	111,672	108,716	173,600*
Variation			
Days	(44)	(90)	104*
£s	(7,882)	(22,579)	48,440*
Received			
Complaints	201	212	312*
Cases	130	134	159*
Completed			
Complaints	219	192	292*
Cases	147	120	157*

\* Estimated

**CERTIFICATION REQUESTING ADDITIONAL FUNDS FROM THE OFFICEHOLDERS CONTINGENCY FUND**

Commissioner for Ethical Standards in Public Life in Scotland

**Purpose of Funding**

In the 11 months to February, the number of complaints received about the conduct of local authority councillors, members of public bodies and MSPs has increased by 44% compared to the same period last year. The number of complaints investigated and closed has increased by 60%.

This demand has resulted in direct costs increasing by £48,440. The Commissioner has managed to absorb £30,000 of this increase and is seeking contingency funding for the remaining £18,500.

**Estimated Cost of Funding**

Increased employment costs for Investigating Officers	£18,500
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<b>Total Funding Requested</b>	<b>£18,500</b>
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**Additional Information (timing etc.)**

The additional funding would be required by the end of April 2014.

Details of the increase in complaints and the impact on the employment costs of Investigating Officers are given in the attached letter.

**Certified by:** ..... **Date:** .....

**Office held :** .....