



The Scottish Parliament  
Pàrlamaid na h-Alba

## Local Government and Regeneration Committee

**Kevin Stewart MSP**  
**Convener**

Bill Thomson  
Commissioner for Ethical  
Standards in Public Life in  
Scotland

Room T3.40  
The Scottish Parliament  
EDINBURGH  
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and

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***By email only***

22 April 2015

Dear Bill and David

### **CODES OF CONDUCT WHICH APPLY TO PERSONS SITTING ON ARMS LENGTH ORGANISATIONS (ALEOs)**

I am writing to you jointly in relation to an issue which arose during a recent evidence taking session by the Local Government and Regeneration Committee (the Committee).

Each year the Committee scrutinises the annual report of the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS), in terms of the Commissioner's functions relating to the Code of Conduct for elected members of Scottish local authorities and public bodies. On 1 April 2015 the Committee considered the CESPLS's 2013/14 annual report.

During this meeting, discussion arose in relation to the code of conduct for persons sitting on ALEOs, and whether such persons may or may not be covered by any existing codes of conduct? Reference was made to the fact that many ALEOs hold charitable status and, questions were asked whether there is a code of conduct or under existing Scottish charities legislation which may apply.

I refer you to the questions<sup>1</sup> raised by Clare Adamson MSP, in relation to members of the public seeking to make a complaint against a member of an ALEO and what the interaction, if any, there is between CESPLS and the OSCR on this issue.

I would be grateful if you could, in responding to the issue above, keep the Committee updated on any discussions between your offices in relation to this issue. In particular the Committee is keen to understand the level of controls applied to ALEOs with charitable status and the degree to which CESPLS and the OCSR can complement each other in relation to code of conduct matters.

The Committee plans to review its work programme in early June, therefore I would ask that you respond to this correspondence by the end of May 2015.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Gordon', with a long, sweeping horizontal stroke extending to the right.

Convener  
Local Government and Regeneration Committee

CC: The Very Reverend Dr Graham Forbes CBE, Chair of the OSCR  
Alex Neil MSP, Cabinet Secretary for Social Justice, Communities and Pensioners' Rights  
Ian Gordon OBE QPM, Convener of the Standards Commission for Scotland

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<sup>1</sup> See Columns 10 and 11 of the Local Government and Regeneration Committee, *Official Report*, 1 April 2015: <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9897&mode=pdf>