

## News release

### For immediate release

## Serious failings at ethical standards body

**Public trust in the body that investigates complaints about the behaviour of MSPs and councillors is now at risk because of serious failings in the way it is run.**

The Commissioner for Ethical Standards in Public Life in Scotland (CESPLS) assesses complaints about the conduct of MSPs, local authority councillors and members of public bodies and then decides which to investigate.

Failings identified by the appointed auditor include:

- an absence of openness and transparency
- a breakdown in key relationships with stakeholders and within its own office
- no effective scrutiny or challenge which might have flagged up issues earlier

The Commissioner's Office has since accepted 22 recommendations made by the appointed auditor and has made progress in addressing issues raised.

Stephen Boyle, Auditor General for Scotland, said: "It is disturbing to see so many failings in an organisation, not least because it deals directly with concerns raised by members of the public.

"It is vital that progress underway continues and that the recommendations made by the auditor are implemented.

"The overarching risk is that there will be a loss of public trust in the ability of the Commissioner's Office to properly investigate and consider complaints made against individuals in public life in Scotland."

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### Notes to editors

1. This is a Section 22 report where the Auditor General can directly raise his concerns with Parliament and the public arising from annual audit work.
2. The Commissioner for Ethical Standards in Public Life in Scotland (CESPLS) is an independent regulator appointed and funded by the Scottish Parliamentary Corporate Body. It has an office staff of nine and a £1 million annual budget.
3. For complaints against MSPs, the CESPLS reports to the Scottish Parliament. For councillors and members of other public bodies it assesses complaints, decides which to investigate and then reports to the Standards Commission for Scotland which can hold a public hearing and has powers to censure or disqualify for code of conduct breaches.
4. The Standards Commission issued statutory directions for the first time in 2020/21 to establish whether the CESPLS was complying with legislation.

5. In October 2021 CESPLS published its own [annual report](#) prepared by the acting Ethical Standards Commissioner appointed in April 2021.

6. Audit Scotland has prepared this report for the Auditor General for Scotland. All Audit Scotland reports published since 2000 are available at [www.audit-scotland.gov.uk](http://www.audit-scotland.gov.uk)

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