

Register of Interests

Policy and guidance

Registration of interests by the Scottish Information Commissioner



Scottish Information
Commissioner

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Glossary and abbreviations

Term used	Explanation
FOISA	The Freedom of Information (Scotland) Act 2002
EIRs	The Environmental Information (Scotland) Regulations 2004
SIC, The Commissioner	The Scottish Information Commissioner

Register of Interests Policy and Guidance

Policy

1. The Scottish Information Commissioner (the Commissioner) publishes a register of interests as part of her publication scheme.
2. The purpose of the Register is to provide information about certain financial or other interests which might reasonably be thought by others to influence the Commissioner's conduct as a Commissioner, or the conduct of a designated officer of the Commissioner.
3. There are currently no officers designated to complete published register of interests forms.
4. The register will comprise copies of completed forms as attached to this policy.
5. Although not subject to them, as a matter of good practice the form is based on the principles set out in the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003. The form is used to record the Interests of the Scottish Information Commissioner (the Commissioner) and individual officers designated by the Commissioner.
6. If individual officers are considered to have, or consider themselves as having, an interest which could be viewed as 'significant', then it may be prudent to complete a form. The Commissioner should review the facts and decide what action is most appropriate in the circumstances.
7. The form is required even if the individual completing it has no registerable interests, answering "No" to the questions asked.
8. The form must be completed on appointment and updated quarterly. It is the responsibility of the Head of Corporate Services (HOCS) to compile the register and manage the update process, and the personal responsibility of the individual to update when prompted.
9. The rules of conduct contained in section 4 of the Code of Conduct (the Code) published by the Commissioner for Ethical Standard in Public Life in Scotland provide a set of relevant requirements and guidelines which should be observed. The Code can be viewed at: <http://www.scotland.gov.uk/publications/2002/04/14493/2563>
10. There are seven categories of interest:
 - (i) Remuneration
 - (ii) Related undertakings
 - (iii) Contracts
 - (iv) Houses, Land and Buildings
 - (v) Shares and Securities
 - (vi) Gifts and Hospitality
 - (vii) Non-finance

Appendices

Appendix 1: Register of Interests Form

Name & title:	
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The test

The test to be applied when considering appropriateness of registration is to ask whether a member of the public acting reasonably might consider that any interests could potentially affect your responsibilities as/ to the Commissioner, and to the public, or could influence your actions, speeches or decision-making.

Boxes will expand as you type

Category 1 - remuneration	Y/N	Detail
Remuneration includes allowances (such as travel and subsistence). Remuneration you receive from a pension, as Scottish Information Commissioner or as an employee of the Commissioner does not have to be included.		Please note that you do not need to register the amount of the remuneration.
Do you hold any positions where you receive remuneration by virtue of being:		
<ul style="list-style-type: none"> employed 		<i>If yes, you must give: the name of the employer(s), the nature of its business and the nature of the post held in the organisation.</i>
<ul style="list-style-type: none"> self-employed 		<i>If yes, you must provide the name and details of the nature of the business.</i>
<ul style="list-style-type: none"> the holder of an office 		<i>If yes, you must give the title of the office and the nature of business.</i>
<ul style="list-style-type: none"> a director of an undertaking 		<i>If yes, you must provide the registered name of the undertaking in which the directorship is held and the nature of the business.</i>
<ul style="list-style-type: none"> a partner in a firm 		<i>If yes, you must give the name of the partnership and the nature of its business.</i>
<ul style="list-style-type: none"> by undertaking a trade profession or vocation or any other work? 		<i>If yes, you must state the nature of the work and its regularity.</i>

Category 2 - related undertakings	Y/N	Detail
Do you hold any directorships which are themselves not remunerated but where the company (or other undertaking) in question is a subsidiary of, or a parent of, a company (or other undertaking) in which you hold a remunerated directorship (as described under category 1)?		<i>If yes, you must register the name(s) of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which you are a director and from which you receive remuneration.</i>

Category 3 - contracts	Y/N	Detail
<p>Have you (or a firm in which you are a partner, or an undertaking in which you are a director or in which you have shares of a nominal value of:</p> <p>(i) greater than 1% of the issued share capital of the company or other body; or (ii) greater than £25,000)</p> <p>made a contract with the Commissioner under which goods or services are to be provided, or works are to be executed and which has not been fully discharged?</p>		<i>If yes, you must enter a description of the contract, including its duration, but excluding the consideration (the amount involved).</i>

Category 4 - houses, land and buildings	Y/N	Detail
Do you own or have any right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of the Commissioner?		<i>If yes, you must list all relevant interests.</i>

Category 5 - shares and securities	Y/N	Detail
Do you have an interest in shares which constitute a holding in a company or organisation which may be significant to, of relevance to, or bear upon, the work and operation of the Commissioner?		<i>If yes, you must list all such interests. You are not required to register the value of such interests.</i>

Category 6 - gifts and hospitality	Y/N	Detail
Have you received any gifts or hospitality within your current term of office?		<p><i>If yes, you must list all relevant details except:</i></p> <ul style="list-style-type: none"> • <i>You are not required to register isolated gifts of a trivial character the value of which must not exceed £50.</i> • <i>Normal hospitality associated with your duties and which would reasonably be regarded as appropriate.</i>

		<ul style="list-style-type: none"> • <i>Gifts received on behalf of the Commissioner.</i>
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Category 7 - non-financial interests	Y/N	Detail
<p>Do you have any non-financial interests which may be significant to, of relevance to, or bear upon, the work and operation of the Board? It is important that relevant interests such as membership or holding office in other public bodies, clubs, societies and organisations such as trades unions and voluntary organisations, are registered and described.</p>		<p><i>If yes, you must list all relevant interests.</i></p>

Document control sheet

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Summary of changes to document				
Date	Action by <i>(initials)</i>	Version updated <i>(e.g. 01.25-36)</i>	New version number <i>(e.g. 01.27, or 02.03)</i>	Brief description <i>(e.g. updated paras 1-8, updated HOPI to HOCS, reviewed whole section on PI test, whole document updated, corrected typos, reformatted to new branding)</i>
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01/12/14	KB	01.03	01.04	DCS updated with publication details. GTI updated
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