

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
The Commissioner	The Scottish Information Commissioner
HOCS	Head of Corporate Services
SMT	Senior Management Team
Rol form	Register of Interests form

Register of Interests Policy and Guidance

Policy

1. The Scottish Information Commissioner (the Commissioner) publishes a register of interests as part of the Commissioner's publication scheme.
2. The purpose of the Register of Interests 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. Although not subject to them, as a matter of good practice the Register of Interests (Rol 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 Rol form is used to record the Interests of the Commissioner and individual officers designated by the Commissioner.
4. Members of the Senior Management Team (SMT) are designated officers and each are required to complete a Rol form which are then published on the Commissioner's website. A template Rol form is set out in the Appendix to this policy and is also held in Virtual Cabinet.
5. The Rol form is required to be completed by each member of the SMT even if the individual completing it has no registerable interests, answering "No" to the questions asked.
6. The form must be completed on appointment as a member of the SMT and updated annually. It is the responsibility of the Head of Corporate Services (HOCS) to compile the Register of Interests and manage the annual update process.
7. The Register of Interests is made up of the completed Rol forms.
8. If an individual officer is considered to have, or consider themselves as having, an interest which could be viewed as 'significant', then it may be prudent to complete a Rol form. The Commissioner will consider the completed Rol form and decide what action is most appropriate in the circumstances.
9. Having completed a Rol form, it is the personal responsibility of the individual, on any change of circumstances, to notify the HOCS within one month of the change. This may either be a change to the details of an interest that has been registered or the recording of a new interest where previously there was no entry.
10. The rules of conduct contained in section 4 of the Model Code of Conduct for Members of Devolved Public Bodies (the Code) published by the Standards Commission for Scotland provide a set of relevant requirements and guidelines which should be observed. The Code can be viewed at: <https://www.standardscommissionscotland.org.uk/ModelCodeofConduct>
11. There are seven categories of interest:
 - (i) Remuneration
 - (ii) Related undertakings
 - (iii) Contracts
 - (iv) Houses, Land and Buildings
 - (v) Interest in Shares and Securities

- (vi) Gifts and Hospitality
- (vii) Non-financial Interests

Appendix

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.

Guidance is available in the Model Code of Conduct for Members of Devolved Public Bodies published by the Standards Commission for Scotland. The code can be viewed at:

<https://www.standardscommissionscotland.org.uk/ModelCodeofConduct>

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"> 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
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 value as described in Category 5 below) 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?		<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 – interest in shares and securities	Y/N	Detail
Do you have an interest in shares comprised in the share capital of a company or other body which may be significant to, of relevance to, or bear upon, the work and operation of the Commissioner and where the nominal value of the shares is: <ul style="list-style-type: none"> I. greater than 1% of the issued share capital of the company or other body; or II. greater than £25,000 		<i>If yes, you must provide the registered name of the company in which you hold shares. 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?		<i>If yes, you must list all relevant details except:</i> <ul style="list-style-type: none"> • You are not required to register isolated

		<p><i>gifts of a trivial character the value of which must not exceed £50.</i></p> <ul style="list-style-type: none"> • <i>Normal hospitality associated with your duties and which would reasonably be regarded as appropriate.</i> • <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 Commissioner? 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>

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