

Council
28 January 20120
Agenda item: 16
Report no: 10/2020
Appendix 1



**SCOTTISH SOCIAL SERVICES COUNCIL
CODE OF CORPORATE GOVERNANCE**

Introduction

The Scottish Social Services Council's Code of Corporate Governance sets out how business is conducted by the Council and what powers are delegated by the Council to Committees and the Chief Executive.

It is written in line with the:

- Principles of the UK Code of Corporate Governance and the International Framework: Good Governance in the public sector
- Executive Framework issued by the Scottish Government to the SSSC
- Model Code of Conduct for members of Devolved Public Bodies issued by the Scottish Government

We welcome any comments on this code which can be directed to the Head of Legal and Corporate Governance at christopher.weir@sssc.uk.com.

Section One - Standing Orders for meetings of the Council and Committees

These Standing Orders were approved by the Council of the Scottish Social Services Council (SSSC) on 29 October 2019.

Introduction

1. The Scottish Social Services Council is a Non-Departmental Public Body established under the Regulation of Care (Scotland) Act 2001 (the Act). The Council made these Standing Orders under Regulation 9(2) of the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001 (the Regulations). If there is a section in this Code which is inconsistent with the Regulations, then the Regulations should be used instead.
2. Scottish Ministers need to appoint a Council (the Council) of between eight and twelve members. At least two members must be registered with the SSSC and be either people who use, or have used, care services or care for people who use, or have used, care services.
3. The Scottish Ministers decide what the powers, duties and responsibilities of the Council, its members and officers of the SSSC are and have set these out in the Executive Framework Document. This is agreed between the Scottish Ministers and the SSSC. These roles and responsibilities are summarised in tables one and two in section two.
4. Regulation 8 of the Regulations allows the Council to appoint Committees and delegate responsibility for carrying out its statutory functions to those Committees. The SSSC has five standing Committees. The remits of those Committees are set out in section two. From time to time the Council may set up **ad hoc committees** and **working groups** to deal with issues as they happen.

Definitions

5. If these Standing Orders refer specifically to the Council, then those sections apply only to the Council. If they refer specifically to the Committee then they apply only to the Committee. If they don't specifically refer to either, then the section applies to both the Council or relevant Committee.

Committees

6. The Council may convene Committees to assist and advise it in undertaking its responsibilities.
7. Committees have terms of reference approved by the Council and are Chaired by an individual appointed by the Council. The Terms of Reference for each Committee is set out in section two. The Chair must be appointed from the Council membership. The Chair of a Committee remains accountable to the Council for the performance of that Committee. Only the Council can change the terms of reference.

8. The terms of reference specify the membership of Committees and may include provision for co-option on to the membership of the Committee. Council members must be in a majority on any Committee apart from the Fitness to Practise Committee. A co-opted member on any Committee will have full voting rights.

Ad hoc Committees and Working Groups

9. The Council may convene ad hoc committees and working groups to assist and advise it in undertaking its responsibilities.
10. Any such committees or groups should have terms of reference, a clear remit and be time limited. The terms of reference should specify membership and may include provision for co-option.

Notice of meetings

11. Before the start of each calendar year the Council will approve a provisional schedule of ordinary meetings of the Council and Committees and it will be published on the SSSC website - www.sssc.uk.com (the website).
12. Notice of ordinary meetings of the Council will be advertised on the website at least five working days before the date of the meeting. The notice will include:
 - a. the date, time and venue of the meeting
 - b. the business that will be transacted at the meeting.
13. All meetings which allow public access will be held in venues that are accessible to people with disabilities.
14. The Convener of the Council may call a meeting of the Council at any time. If at least one third of Council members request a meeting in writing to the Convener and the Convener either:
 - a. refuses to call a meeting; or
 - b. without refusing, does not call a meeting within 21 days of the request being presentedthen those members may call a meeting.
15. Notice of any other meeting of the Council will be given in the same way as notice for ordinary meetings.
16. If a meeting has been called using section 14a or b, then no other business other than the business set out in that notice can be discussed at the meeting.
17. A failure to deliver the notice to any member does not invalidate the meeting.

Dealing with urgent business

18. If there is urgent business which needs to be dealt with before the next scheduled meeting, then it can be dealt with by either:
 - a. the Chief Executive, or in his/her absence a member of the Executive Management Team, calling a meeting with the Convener or the relevant Chair or a Vice-chair of the relevant Committee, to deal with that business. The meeting will be arranged at the earliest opportunity and participation by tele-conferencing or video-conferencing if appropriate, or
 - b. correspondence between the members of that Committee.
19. If the business is being dealt with by correspondence, the relevant papers and proposals will be sent out by email. The timescales for responding will be clearly detailed in that email. If a member does not respond within that timescale then they will be deemed to agree with that course of action.
20. The appropriate officer will report back to the next appropriate Council or Committee meeting, setting out the urgent business, its consideration, progress and/or outcome.

Agenda for meetings

21. Advised by the Chief Executive (or any officer acting on their behalf) and the Head of Legal and Corporate Governance (or an officer acting on their behalf), the Convener/Chair will agree the agenda for a meeting at least ten working days before the meeting. It will be made available to members at least seven days before the meeting.
22. Exceptionally and only if the Convener/Chair agrees then changes may be made to the agenda to deal with urgent business. If an agenda changes, a revised agenda should be circulated to members or, if not practicable, presented at the start of the meeting. If the meeting is open to the public, the revised agenda will be advertised on the website.
23. Any member(s) of the Council or Committee may ask for an item to be placed on the Agenda of a meeting of the Council or Committee. This should be done at least ten working days before the meeting. The Convener/Chair of the meeting will decide whether to allow the item on the agenda, taking advice from the Chief Executive (or an officer on their behalf) and the Head of Legal and Corporate Governance (or an officer on their behalf). If the Convener/Chair decides not to include the item on the Agenda, the member will be advised, and the Council or Committee informed during the Convener/Chair's opening remarks.
24. If a member's item is included on the agenda, and if the Convener/Chair agrees, they will be allowed to present a paper on the item. The Head of Legal and Corporate Governance (or an officer on their behalf) will help the

member to prepare the paper in the proper format and to a standard acceptable for a public body.

Papers for meetings

25. The Chief Executive (or an officer on their behalf) will ensure there are papers for all agenda items at a meeting unless the Convener/Chair agrees that a paper is not needed.
26. Papers will be provided to the meeting attendees at least seven days before the meeting.
27. For meetings open to the public, hard copies will be available at the meeting.
28. A copy of papers, other than those dealing with the private business of the Council, will be published on the website before the meeting.
29. If papers are not available seven days before the meeting, the Head of Legal and Corporate Governance may, after checking with the Convener/Chair and the Chief Executive, send them late, provide the paper(s) at the meeting or take the item(s) off the agenda.

Minimum number of members for a meeting (quorum)

30. The Council quorum must be made up of the Convener (or in their absence, Deputy Convener or another member picked to preside), Chair of Audit and Assurance Committee (or in their absence, at least one member of the Audit and Assurance Committee) and at least one third of the rest of the Council members.
31. If the quorum of any Committee or Sub-committee meeting cannot be reached because of absence, in exceptional circumstances, the Chair of that Committee or Sub-committee may co-opt other Council members to the Committee on a meeting by meeting basis. This provision does not apply to the Fitness to Practise Committee.
32. Participation will usually be in person, but exceptionally (with the agreement of the Chair of the meeting) individual members may take part by telephone or video-conference. If that happens, those members will be deemed to be present and to constitute part of the quorum for the purposes of that meeting.
33. No business will be conducted unless there is a quorum at any Council or Committee meeting. If at any point, and for any reason, there is not a quorum of members present then the Convener/Chair will, after a reasonable amount of time, check whether a quorum has been reached. If a quorum cannot be reached then the Convener/Chair may adjourn the meeting to a later date.
34. The quorum of any Council Committee is contained within their terms of reference set out in section two.

Attendance at Council and Committee meetings

35. If a member fails to attend any Council or Committee meeting for a continuous period of three months from the date of the first missed meeting, without permission from the Convener/Chair, the Convener/Chair will advise the Council. The Council will decide whether to remove that member from the Committee (if appropriate) and will inform Scottish Ministers. The Council may also ask the Scottish Ministers to remove that member from the Council.

Attendance at Council and Committee meetings: SSSC Officers

36. The Chief Executive is not a member of the Council but will attend Council meetings. The Head of Legal and Corporate Governance (or an officer on their behalf) will attend Council/Committee meetings to give advice to the Convener/Chair. Any other management representatives and/or substitutes may attend at the discretion of the Chief Executive.
37. The Chief Executive will ensure that the work of all Councils and Committees is supported and serviced by appropriate staff.

Admission of the public to Council meetings

38. Members of the public can attend any meetings of the Council apart from any meeting or parts of meetings where the type of business means it should be conducted in private. The business of the other Committees, Sub-committees or Panels will be conducted in private unless there are specific rules which state that it should be heard in public.
39. Business will be conducted in private when there are overriding reasons for non-disclosure that outweigh any possible public interest. Examples are:
- a. matters likely to breach data protection law (as defined by the General Data Protection Regulations and Data Protection Act 2018 or any other relevant law)
 - b. matters relating to named training and education providers or care service providers, if it is likely to affect their credibility and reputation
 - c. matters involving issues of commercial or financial sensitivity or confidentiality
 - d. matters relating to policy or the internal business of the Council which are for discussion with the Scottish Government or other regulatory or public bodies, before it is approved by the Council
 - e. information which may be legally privileged or relate to matters of legal proceedings either in progress or relating to the Council
 - f. any other matters which if publicly disclosed might reasonably prejudice the effective discharge of the SSSC's functions.

40. If a meeting, or part of the meeting, is open to the public then anyone attending that meeting may have a copy of papers dealing with the public business.
41. A member of the public who disrupts the business of the meeting may be asked to leave the meeting after due warning has been given. Re-admission to that or other public meetings held by the SSSC is at the discretion of the Convener/Chair.

The conduct and approval of business at Council meetings

42. The Convener will, if present, chair all meetings of the Council. If the Convener is not at the meeting then the Deputy Convener (if appointed) will chair. If the Convener and Deputy Convener (if appointed) aren't at the meeting then the Head of Legal and Corporate Governance will ask the Council to propose a member to chair the meeting.
43. The Convener is responsible for keeping order and making sure that business is conducted reasonably, fairly, effectively, responsibly and follows the law and any directions from Scottish Ministers.
44. The Convener will ensure that all members get a fair hearing with enough chance to express their views on matters being discussed. All members will respect and, if necessary, defer to the authority of the Convener.
45. If there is an agenda item that needs the approval of the Council, the Convener will seek the views of members and, if possible, come to a consensus. If the Council can't come to a consensus or if the Convener decides that coming to a consensus is not appropriate then the Council will take a vote on the business being discussed. A simple majority will decide the vote and the Convener has a substantive and casting vote. A vote may be given by a show of hands, secret ballot or any other method chosen by the Convener.
46. If the Council does not make a decision on an agenda item that needs a decision to be made and the consequences would be prejudicial to the continuity of the business of the SSSC, the Council should seek other proposals from the Chief Executive (or their representative). The Convener may adjourn the meeting or defer the agenda item to another meeting to allow the Chief Executive to reconsider. If, after such reconsideration, the Council is unable to make a decision (whether by consensus or simple majority vote) and the matter remains critical to the continuity of business, the Convener will report to Scottish Ministers and seek their direction.

The conduct and approval of business at Committee meetings

47. These provisions apply to any Committee or Sub-committee of the Council except where the conduct of that business is otherwise provided for in Rules approved by the Council with consent of Scottish Ministers.
48. The Chair of the Committee will, if present, chair all meetings of that

Committee. In the absence of the Chair, the Vice Chair will preside. In the absence of the Chair and the Vice Chair, the Head of Legal and Corporate Governance (or an officer on their behalf) will ask the Committee to propose a member to preside over the meeting.

49. The Chair is responsible for maintaining order and ensuring that business is conducted reasonably, fairly, effectively, responsibly and in accordance with the remit of the Committee.
50. The Chair will ensure that all members get a fair hearing with enough chance to express their views on matters being discussed. All members will respect and, if necessary, defer to the authority of the Chair.
51. If there is an agenda item that needs the approval of the Committee, the Chair will seek the views of members and, if possible, come to a consensus. If the Committee can't come to a consensus or if the Chair decides that coming to a consensus is not appropriate then the Committee will take a vote on the business being discussed. A simple majority will decide the vote and the Chair has a substantive and casting vote. A vote may be given by a show of hands, secret ballot or any other method chosen by the Chair.
52. If, after a vote, the Committee is unable to give their approval, the Chair will refer the matter to the Convener of the Council who will consider and decide upon the matter.

Council and Committee proceedings

53. Meetings will follow the order of business as outlined in the Agenda or as set out by the Convener/Chair at the beginning of the meeting.
54. Council members must comply with the Code of Conduct for Members of the Scottish Social Services Council (the Members Code of Conduct). The Members Code of Conduct is adopted from the Scottish Government's Model Code of Conduct for Members of Devolved Public Bodies and states, particularly, that members must comply with the nine Principles of Public Life.
55. The Members Code of Conduct states that members of the Council and Committees need to declare any interests in the business of a meeting. Even if there is not a specific agenda item asking for declarations of interest, each Member is responsible for making sure they declare relevant interests. A Member declaring an interest should normally take no part in the proceedings and may be asked to leave the room by the Convener/Chair while the area of interest is discussed.
56. Agenda items will be supported by papers except where the Convener/Chair of the meeting has agreed to a presentation instead.
57. Copies of any presentations made during a meeting will be circulated in advance of the meeting with the papers for the meeting except where the Convener/Chair has agreed to copies being provided at the meeting or to an oral presentation. For meetings open to the public, presentations will be

published on the website as if they were papers.

- 58. When an agenda item is addressed, papers will be taken as read. The senior officer responsible for the paper (or author) will have the chance to present the paper. The Convener/Chair will give members the chance to ask questions and make comments. On conclusion of discussion, if approval is required, the Convener/Chair will seek a consensus view or, if necessary, take a vote. The Convener will conclude an agenda item by making sure all members are aware of the outcome of the discussion.
- 59. Any private business will normally be conducted at the end of an agenda. The Convener/Chair will ask any members of the public to leave. Staff may remain at the discretion of the Convener/Chair.

Minutes of meetings

- 60. The SSSC will keep a minute of all Council and Committee meetings.
- 61. The minute will record the members there, anyone else at the meeting, any apologies and members or others joining or leaving the meeting.
- 62. The minute will record that discussion took place, any points of significance raised and any action/decision.
- 63. The approval of minutes of the last meeting will normally be the first business item of a meeting. If matters of accuracy are raised, any corrections will be recorded in the new minute. If the correction is a significant matter of fact, the old minute will be withdrawn and a corrected minute re-issued. Otherwise the correction in the new minute will be enough to deal with accuracy.
- 64. Minutes of public meetings, once signed, will be published on the website within seven days. Minutes of any confidential business will not be published but a summarised version may, if requested, be made available with the agreement of the Convener.

Council Offices

- 65. The Convener of the Council is appointed by and accountable to Scottish Government Ministers.
- 66. Other offices of the Council are the Deputy Convener and the Chairs of any Standing Council Committees.
- 67. Other than the Convener of the Council, members may hold more than one office. The Chief Executive may not hold any Council office.
- 68. The Deputy Convener of the Council is normally nominated by the Council from amongst its membership and the appointment approved by Ministers.
- 69. The Chairs of any Council Committees are appointed by the Council.

70. When there is a vacancy for a Council office (other than the Convener of the Council) the Convener of the Council should present proposals to the Council for filling the office. Any process should allow for fair and equal consideration of members for the office.
71. Council offices should be reviewed every three years, coinciding with the cycle of appointments to the Council. If a Council office holder leaves the Council, the office becomes vacant.

Scheme of ~~General~~ Delegation and delegated powers

~~72. The Chief Executive is authorised, among other things, to carry out SSSC's day-to-day statutory powers, duties, responsibilities, obligations and incidental legal and financial functions as set out in tables one and two in this Code.~~

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~~73. The Chief Executive's authority may be sub-delegated to ensure these responsibilities are carried out. The Chief Executive remains accountable for the exercise of that authority.~~

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~~74. The Chief Executive and the Council can, at any time, decide that they wish to have any matter referred to them for consideration.~~

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~~72-73. Unless otherwise reserved, the powers of the Council are delegated through the General Scheme of Delegation to the Chief Executive.~~

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~~74-75. The Council may at any time delegate further- authority powers, reserve matters that have been previously delegated or remove delegated powers- authority for a specific decision or action.~~

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~~75-76. The Convener of the Council oversees the day to day work of the Chief Executive on behalf of the Council and may speak publicly on behalf of the Council. Unless specifically delegated by the Council, the Convener shall have no other powers delegated authority.~~

~~76-77. Individual Council members have no generally delegated authority-or powers.~~

~~77-78. Council office holders (other than the Convener of the Council) have no generally delegated powers or authority other than those detailed in the description of the position and terms of reference of any Committees that they chair.~~

Appointment of senior staff where the appointment is reserved by the Council

~~78-79. When there is a vacancy for a position where appointment is reserved by the Council, the Convener of the Council (in consultation with the Chief Executive and the Chair of any Committee with responsibility for human resources and remuneration) should present proposals to the Council for filling the post. Any process should be fair, reasonable and in accordance with employment legislation.~~

Collective responsibility and confidentiality

~~79-80.~~ The Council and its Committees operate on the basis of collective responsibility for decisions. Members are therefore expected, if questioned on a matter where a Council or Committee has taken a view, to support the position reached.

~~80-81.~~ All members of the Council are required to maintain confidentiality as detailed in the Code of Conduct and any guidance to that code provided by the Head of Legal and Corporate Governance.

Suspension and revision of Standing Orders

~~81-82.~~ These Standing Orders may only be suspended, varied, revoked or added to by the Council and only if agreed by the majority of members present and only if the Convener of the Council also agrees.

~~82-83.~~ Committees have no power to depart from these Standing Orders.

~~83-84.~~ Notice of any variation or revocation of these Standing Orders must be given at a Council meeting, with the proposal for variation or revocation being brought forward at the next meeting of the Council.

Co-opted Members Policy

~~85.~~ Where co-options are to be made the Council shall be satisfied that the route used is appropriate, open and fair and that one of the following options should be followed:-

- a. Following consultation with the appropriate professional bodies, people with the appropriate background, relevant skills or specialist experience should be nominated by the Convener, or Chairs of the respective Committees or Working Group and Lead Officers, to serve for a limited period. In the case of the Audit and Assurance Committee, this will be no longer than one year. The Convener or appropriate Committee shall then make a recommendation to the Council.
- b. Open competition by advertising the possibility of co-option to Committees shall create the opportunity for interested people with the appropriate background, relevant skills or specialist experience to express interest in participating and getting involved in the work of the Council. In order to ensure that this is a cost-effective option, advertisements will be targeted in specific areas (e.g. appropriate newsletters) to attract interest from people with the relevant experience and skills.

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Section Two – The Council and Committees Terms of Reference

THE COUNCIL

Owner: Convener

Remit:

- 1. Satisfy itself of the continuing achievements of strategic objectives and Best Value**
- 2. Review the recommendations, output and performance of the Audit & Assurance Committee:**
 - a. at least every quarter
 - b. seek assurances/evidence that the requirements of SPFM have been met
 - c. understand material variances between forecasted and actual income/expenditure
 - d. set and agree tolerance bands for acceptable/unacceptable variances
 - e. seek assurances on the integrity of forecasted income/expenditure for full-year outturn
 - f. ensure that the monthly profiles of financial expenditure are consistent with monthly operational outputs
 - g. approve/reject reports & raise specific concerns to the Sponsor Department.
- 3. Review the Performance of the Chief Executive:**
 - a. at least every quarter
 - b. review against approved financial and operational targets via reports produced by the Chief Executive
 - c. understand material changes to the operational environment
 - d. understand and approve additions/deletions to strategic risks
 - e. advise on changes to the external environment that may affect strategic risks
 - f. seek assurance that the risk management plan has been implemented, is regularly reviewed and current
 - g. endorse reports/raise specific concerns to the Sponsor Department.
- 4. Ensure that the requirements of the Scottish Public Finance Manual (SPFM) are being implemented.**
- 5. Approve the Strategic Plan, Annual Budget and Financial Strategy.**
- 6. Approve the annual report and accounts for laying before Parliament.**

Function:	Approval of and oversight of the achievement of strategic objectives, representing the interests of Scottish Ministers.
Accountability:	Total accountability for the performance of the organisation to Scottish Ministers (represented by the Sponsoring Department)
What it can do:	Appointment of Chief Executive, independent challenge of reports and monitoring information, last resort for poor performance and holds ultimate sanctions on removal of Chief Executive and reporting to Sponsor
What it can't do:	Operational decision-making, instructing staff on operational matters, intervening in matters previously approved for delivery
Quorum/Membership:	The Council quorum must be made up of the Convener (or in their absence, Depute Convener or another Member picked to preside), Chair of Audit and Assurance Committee (or in their absence, at least one Member of the Audit and Assurance Committee) and at least one third of the remaining Council members.
Meeting frequency:	Quarterly

AUDIT AND ASSURANCE COMMITTEE

Owner: Chair of Committee

Remit:

1. Review the Strategic KPI performance report:

- a. at least every quarter
- b. seek assurances/evidence that year end objectives will be met
- c. understand material variances between forecasted and actual income/expenditure
- d. recommend tolerance bands for acceptable/unacceptable variances
- e. seek assurances on the integrity of forecasted KPI measures for full-year
- f. review and endorse/reject management plans for the achievement of objectives
- g. ensure that the monthly profiles of monthly operational outputs are consistent with financial expenditure
- h. endorse report/raise specific concerns to the next Council meeting.

2. Review financial monitoring report:

- a. at least every quarter
- b. seek assurances/evidence that the requirements of SPFM have been met
- c. understand material variances between forecasted and actual income/expenditure
- d. recommend tolerance bands for acceptable/unacceptable variances
- e. seek assurances on the integrity of forecasted income/expenditure for full-year outturn
- f. review and endorse/reject management plans for the achievement of financial objectives
- g. ensure that the monthly profiles of financial expenditure are consistent with monthly operational outputs
- h. endorse report/raise specific concerns to the next Council meeting.

3. Review the Strategic Risk Register/Management Plan report:

- a. at least every quarter
- b. review strategic risks at the same time as reviewing operational & financial performance
- c. understand periodic changes to strategic risk items
- d. understand and approve additions/deletions to strategic risks
- e. advise on changes to the external environment that may affect strategic risks
- f. seek assurance that the risk management plan has been implemented, is regularly reviewed and current and assess effectiveness of risk management
- g. endorse report/raise specific concerns to the next Council meeting.

4. Ensure that the Audit requirements of SPFM are being implemented:

- a. ensure that enough resources are made available to the key functions of financial reporting, internal and external audit
- ~~a.~~
- b. engage with internal & external auditors on an agreed frequency
- ~~b.c.~~ endorse/raise specific concerns about internal/external audit plans
- ~~c.d.~~ endorse/Reject raise concerns about audit reports & findings to the Convenor/Council
- ~~d.e.~~ instruct make recommendations to the Chief Executive in line with the findings of internal/external audit reports for actions to be reported to the Council.

5. Scrutinise accounting policies, accounts and annual report of the organisation with recommendations for the Council before submission to Parliament:-

- a. ensure process for review of accounts before submission for audit is appropriate
- b. identify levels of error
- c. endorse/reject management's letter of representation to the external auditors
- d. endorse/reject the annual report and accounts for submission to Council.

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Function: Advise the Council and the Accountable Officer on strategic processes for risk, internal control environment, and governance and the governance statement, anti-fraud policies, whistleblowing processes, arrangements for special investigations, adequacy of management response to operational and financial performance, financial probity and stewardship ~~and,~~ management of risk (financial and strategic objectives) and audit findings, effectiveness of audit functions.

Reporting: A written report to Council and Accountable Officer after every meeting, annual report and through minutes to Council.

Accountability: The Council

Access: The Head of Internal Audit and the representative of External Audit will have free and confidential access to the Chair of the Committee.

What it can do: Make recommendations to the Council on whether to approve/reject management reports, instruct management to provide further information/evidence, recommendations to the Council, procure specialist ad-hoc advice subject to budgets agreed by Council or the Accountable Officer.

What it can't do: Intervention in financial management, decision-making on expenditure in approved budgets, contract award in pursuance of approved strategy within the authority of the Chief Executive

Quorum/Membership: The Committee quorum must be made up of the Chair plus a minimum of two other Council members. The Convener of the Council may attend but must not be a member or hold voting rights. The membership may include co-opted members, subject to the Co-options Policy as set out in the Council's Standing Orders.

Meeting frequency: Quarterly

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FITNESS TO PRACTISE COMMITTEE

Owner:	Chair of Committee
Remit:	Delegated responsibility to make decisions in terms of the Fitness to Practise Rules 2016, Fitness to Practise (Amendment) Rules 2017, Registration Rules 2016 (No 2) as they may be amended from time to time. Fitness to Practise Panels are drawn from the membership of the Fitness to Practise Committee and are not members of the Council.
Function:	Independent decision makers for cases in which the suitability for registration either conditionally or unconditionally of a worker is in question.
Accountability:	The Council
What it can do:	Make decisions or take action in accordance with the Fitness to Practise Rules 2016, Fitness to Practise (Amendment) Rules 2017, Registration Rules 2016 (No 2).
What it can't do:	Anything else
Quorum/Membership:	The Committee must be made up of a minimum of twelve members who are not Council members and the Chair. At any meeting of the Committee the quorum must be made up of twelve independent members. The membership of Fitness to Practise Panels are set out in the Fitness to Practise Rules.
Meeting frequency:	The full Committee will meet once every three years. Panels will meet as required.

EMPLOYMENT APPEALS PANEL

Owner:	Chair of Panel
Remit:	Delegated responsibility to hear and decide on the merits of any appeals made under the SSSC's disciplinary procedures, grievance procedures, dignity at work or any other relevant Human Resources (HR) policy or procedure.
Function:	Appeal mechanism for decisions made under relevant HR policies and procedures.
Accountability:	The Council
What it can do:	Decide on the merits of appeals made under SSSC's disciplinary policy, grievance procedures, dignity at work or any other relevant HR policy.
What it can't do:	Anything else
Quorum/Membership:	The Panel must be made up of three Council members.
Meeting frequency:	As required

TRAINING APPEALS PANEL

Owner:	Chair of Panel
Remit:	Delegated responsibility to hear and decide on the merits of any appeals made under the Scottish Social Services Council Rules for Social Work Training 2003, Rules and Requirements for Specialist Training for Social Service Workers in Scotland 2005 and the Rules and Requirements for Awards Developed from the Standard for Childhood Practice 2008 as amended from time to time.
Function:	Appeal mechanism for any decisions made by the SSSC on whether or not to approve a course.
Accountability:	The Council
What it can do:	Make decisions or take actions in accordance with the Scottish Social Services Council Rules for Social Work Training 2003, Rules and Requirements for Specialist Training for Social Service Workers in Scotland 2005 and the Rules and Requirements for Awards Developed from the Standard for Childhood Practice 2008 as amended from time to time.
What it can't do:	Anything else
Quorum/Membership:	The Training Appeals Panel must be made up of three people, two of which must be Council members and one co-opted member. At any meeting of the Panel the quorum is three people. There must be a Chair, who is a member of the Council.
Frequency:	As required

SPECIAL APPEALS COMMITTEE

Owner:	Chair of Committee
Remit:	Delegated responsibility to hear and decide on the merits of any appeals of decisions to remove a Fitness to Practise Committee member.
Function:	Appeal mechanism for decisions to remove independent Fitness to Practise Committee members from that Committee
Accountability:	The Council
What it can do:	<p>Hear and decide on the merits of an appeal made by a Fitness to Practice Committee member of any decision to remove them from that Committee. Make recommendations to the Council on whether to:</p> <ol style="list-style-type: none">1. make no order2. suspend the member for such period as it sees fit until final resolution of the matter in question3. request an undertaking from the member in respect of their future conduct4. refer the matter to the police, or other appropriate regulatory authority5. terminate the member's appointment.
What it can't do:	Anything else
Quorum/Membership:	The Special Appeals Committee must comprise at least three Council members. At any meeting of the Committee the quorum must be a minimum of three Council members. The membership may include co-opted members, subject to the Co-options Policy as set out in the SSSC's Standing Orders.
Meeting frequency:	As required

Table One Roles and Responsibilities				
Role	Responsible for	Accountable to	Remit	How/What
Convener	The Council	Sponsor/Scottish Ministers	Organisation of the Council, overall accountability for the performance of the organisation, lead role for oversight of governance and Best Value use of public funds, responsible for the performance of the board.	Review presented information, take all steps necessary to achieve confidence that the information is accurate and robust, inform Chief Executive of strategic direction, review strategic risk management plan, perform Chief Executive performance review, take into account relevant guidance issued by Scottish Ministers.
Chair	Committee	Convener/the Council	Responsible for performing tasks on behalf of the Convener/Council (such as oversight of Audit, Financial Scrutiny, Strategic Risk Management)	Members should understand the remit and purpose of the Council/Committee on which they sit, they have personal and collective responsibility to ensure that the obligations of that Council/Committee are discharged and to take whatever steps are necessary to ensure that discharge. The remit does not include operational decision-making.

Table One Roles and Responsibilities				
Role	Responsible for	Accountable to	Remit	How/What
Non-Executive Members	The Council/Committees Performance	Convener/Scottish Ministers	Individually and collectively responsible for bringing independent judgement and scrutiny to decisions taken by the Council. The Non-Executive members must satisfy themselves on the integrity of financial information and that financial controls and systems of risk management are robust.	Non-Executive members should constructively challenge and help develop proposals on strategy. They should scrutinise the performance of management in meeting agreed goals and objectives and monitor the reporting of performance. They should satisfy themselves on the integrity of financial information and that financial controls and systems of risk management are robust and defensible. They are responsible for appointing and, where necessary, removing the Chief Executive and in succession planning. Adhere to Code of Conduct.
Chief Executive	SSSC	The Council/Sponsor	Accountable for organisation performance, financial probity and achievement of objectives including securing Best Value	Everything and anything operational and not reserved for the Convener/Council or post termination of employment, advising board on discharge of its responsibilities including compliance with SPFM and relevant guidance.

Table One Roles and Responsibilities				
Role	Responsible for	Accountable to	Remit	How/What
Executive Management Team	SSSC Operations	Chief Executive	Deliver strategic objectives by the appropriate use of resources, manage risk and develop organisation capability	As per Job Description/objectives agreed with Chief Executive.
Operational Management Team	Day to day operations	EMT/Person Manager	Delivery of operational objectives, budget monitoring and staff management	Application of agreed corporate policies, work processes and professional judgement in order to achieve corporate objectives.

Table Two – RACI Chart				
Subject Matter	Accountable	Responsible	Consult	Inform
Strategic plan, strategic objectives, Outcomes, Priorities Objectives meet with SG direction	Convener	Chief Executive	The Council	Executive Management Team
SSSC Organisation structure, financial resources, delivery model etc are fit for purpose to achieve strategic objectives	Convener	Chief Executive	The Council	Executive Management Team
Change in Strategic Direction	Convener/The Council	Chief Executive	Executive Management Team	Operational Management Team
Oversight of Council members (individual and collective) performance and ability to achieve strategic objectives	Convener	Convener/Chair of Committee	Chief Executive	Sponsor
Independent challenge and delivery of assurance that strategic objectives are being/will be met and that appropriate performance monitoring is undertaken	Convener/The Council	Audit and Assurance Committee	Chief Executive	Executive Management Team
Independent challenge and delivery of assurance that sufficient financial and risk management is	Convener/Audit Committee	Audit and Assurance Committee	Chief Executive	Sponsor

Table Two – RACI Chart				
Subject Matter	Accountable	Responsible	Consult	Inform
undertaken				
Oversight of Management of Strategic Risks	Convener/The Council	Audit and Assurance Committee	Chief Executive	Executive Management Team
Oversight of Financial probity and Operational performance	Convener	Audit and Assurance Committee	Chief Executive	The Council
Review of Chief Executive Performance	Convener	The Council	Chief Executive	Sponsor Department
Non-strategic oversight	Chief Executive	Executive Management Team	Convener	The Council
Identification and Management of Strategic and Operational Risks	Chief Executive	Executive Management Team	Operational Management Team	The Council
All operational matters, operational performance and delivery mechanisms in pursuance of approved strategic objectives (within approved budget and delegated authority)	Chief Executive	Executive Management Team	Operational Management Team	The Council
SSSC Operational model and EMT appropriate to meet strategic objectives and appropriate monitoring of performance is undertaken to ensure this delivery	Chief Executive	Executive Management Team	Convener	The Council

Table Two – RACI Chart				
Subject Matter	Accountable	Responsible	Consult	Inform
All procurement within approved budgets	Chief Executive	Executive Management Team	Operational Management Team	Audit & Assurance Committee

Section Three – Delegated Authority to Commit and Approve Business Expenditure

- ~~1. Tables one and two in the SSSC's Code of Corporate Governance Council sets out the responsibilities and accountabilities of the Council, Committees and Chief Executive. To allow these to be effectively carried out, the Council of the Scottish Social Services Council (SSSC), with the exception of the powers retained by it below, delegates the remainder of its responsibilities to the Chief Executive.~~
 - ~~2. The Chief Executive is authorised, among other things, to carry out SSSC's day to day statutory powers, duties, responsibilities, obligations and incidental legal and financial functions.~~
 - ~~3. This document is to be referred to as the General Scheme of Delegation to the Chief Executive and is to be read in conjunction with any SSSC Guidance for further delegation, the SSSC Financial Regulations and Standing Orders of the Council.~~
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Designation	Approval Area	Budget Authority Limit	Contract Approval Authority Limit	Approval of Non-Competitive Action	Approval of Consultancy Contracts
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Budget Managers (EMT):

Chief Executive	SSSC	Approved SSSC Budget	Unlimited	Lower of £30,000 total contract value or £10,000 per annum	£100,000
Director of Corporate Services	SSSC	Approved SSSC Budget	£0	Lower of £30,000 total contract value or £10,000 per annum	£0
Director of Development and Innovation	SSSC	Approved SSSC Budget	£600,000	£0	£0
Director of Regulation	SSSC	Approved SSSC Budget	£600,000	£0	£0
Director of Strategy and Performance	SSSC	Approved SSSC Budget	£600,000	£0	£0

Budget Holders:

Budget Holders:	Specified cost centre(s) as agreed by Budget Managers	Approved SSSC Budget	£100,000	£0	£0
Expenditure Approvers:	Specified as per Budget Manager	Approved SSSC Budget	£0	£0	£0
GPC card holders:	SSSC	Approved SSSC Budget	£0	£0	£0

<u>Version history</u>			
<u>Date</u>	<u>Version</u>	<u>Summary of change</u>	<u>Author</u>
<u>October 2019</u>	<u>1.0</u>	<u>Approved policy</u>	<u>C Weir</u>
<u>January 2020</u>	<u>1.1</u>	<u>Revisals to the A&A terms of reference, amendments to delegated authority.</u>	<u>C Weir</u>

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