

Standing Orders

The Scottish Commission on Social Security (SCoSS) was established by the Social Security (Scotland) Act 2018 ('the Act'), which states that the SCoSS may regulate its own procedure.

At its board meeting of October 2019, the SCoSS agreed to regulate its procedures by adopting the attached Standing Orders.

Any reference to members' attendance at a SCoSS meeting includes their participation by video conference or other remote method.

Members' conduct during board meetings

The Chair is responsible for chairing all board meetings and for ensuring that members can contribute to proceedings in an equitable manner. Members' contributions should be made through the Chair.

Members will be responsible for conducting themselves in accordance with the SCoSS's Code of Conduct¹.

Conflicts of interest

The following processes will apply in relation to any dispute arising as to whether a conflict of interest exists:

- a. in the event of the potential conflict arising during the course of a meeting the Chair will have the power to rule as to whether such a conflict exists. In the event of a positive ruling, the member concerned will not be permitted to be further involved in that part of the meeting affected by the conflict;
- b. in the event that the potential conflict arises outwith a meeting (such as when signing off a SCoSS letter to the Scottish Government) then the Chair will have power to rule as to whether such a conflict exists. In the event of a positive ruling, the member concerned will not be permitted to be further involved in the business affected by the conflict;

¹ A link to the Code of Conduct will be added in due course.

- c. before ruling in either of the circumstances set out above, the Chair may take views of other members as s/he deems necessary;
- d. a record of the area of potential conflict, the ruling reached and by whom will be retained.

Work plan and agendas

Members collectively agree the SCoSS's work plan i.e. its main items of work, including those to be discharged at future board meetings.

The Chair will determine the agenda for each board meeting, which will be drafted to ensure that the SCoSS delivers its work plan and members keep abreast of relevant developments.

Where time allows, the Chair will share a draft agenda with members for comments and suggestions for inclusion. If members are aware in advance of an item they want to include on an agenda they should inform the Chair as early as possible. The Chair makes the final decision on what to include on agendas, taking into account the timing and nature of the proposal, and any other business already scheduled for the meeting in question.

The Secretariat will issue board papers one week in advance of board meetings. Late papers will only be circulated in exceptional circumstances and, for access reasons, papers will not be tabled at a meeting.

If the Board agrees to delegate the writing of a paper for a board meeting to a member, the author's name will clearly be stated on the paper.

Board meetings will usually be held at Victoria Quay but with the aim of holding at least one meeting a year elsewhere.

The Chair may call an extraordinary meeting (i.e. outwith the agreed meeting schedule) if required and agreed by other members.

Members' attendance

Substantive decisions, for example, agreeing a SCoSS report, will be taken at a board meeting or in accordance with a process agreed at a board meeting.

Where the SCoSS has four members, substantive decisions can only be made at a board meeting if at least two members are present at the meeting or available (i.e. to participate in the process agreed at a board meeting).

Where the SCoSS has five members, substantive decisions can only be made at a board meeting if at least three members are present/available (i.e. to participate in the process agreed at a board meeting).

There may be occasions during a board meeting where it becomes apparent that, for the remainder of the board meeting, there will be fewer members than set out above and a substantive decision remains to be made.

Before that circumstance arises, members may agree that the above restrictions do not apply in order that a substantive decision can be made. The Chair will also aim to schedule agenda items so that substantive decisions can be made before the scenario described above arises.

Absence of Chair

Should the Chair be unavailable for a Board meeting the other members will agree who should chair that meeting. Any member could otherwise deputise for the Chair depending on members' availability.

Decisions, voting and reports

SCoSS members will seek to agree all reports on a unanimous basis. The 2018 Act states, "If the Commission's members are unable to agree the terms of its report unanimously, the report must set out the matters over which members differ."

The Secretariat will usually be responsible for providing, based on members' discussions, a first draft of reports. The process for agreeing any particular report will be agreed at a prior board meeting.

Decisions at board meeting will generally be made by a consensus of those attending. Any matter put to a vote should be decided by a simple majority. In the event of a tie, the Chair has a second vote.

Only members present at a meeting may vote and proxy voting is not allowed. Members departing early from a board meeting will not be able to make any decisions after that point, although efforts would be made to bring forward key items requiring decision.

Communications and media engagement

The Secretariat is responsible for dealing with day to day correspondence, maintaining the SCoSS's twitter account and updating the website.

The Chair is responsible for:

- responding to correspondence that cannot be dealt with by the Secretariat
- signing-off news releases, responding to any media requests for interview or comment, and providing input on tweets when requested by the Secretariat.

The Chair may wish to delegate some items to other members/ the Board for information or further action as appropriate. For example, members may have suggestions or photos, etc. for tweets and need to know how to get them tweeted via the SCoSS account.

Equality and accessibility

SCoSS will always seek to be flexible and make reasonable adjustments to accommodate matters such as members' impairments and any caring responsibilities, while ensuring essential business is delivered.

Transparency of proceedings

All reports and minutes of board meetings are published on the SCoSS's website.

Members have a duty not to comment on any matter in any way that undermines the principle of collective responsibility for decisions of the SCoSS. However, members may have their dissent to a decision recorded provided they have attended for the whole of the discussion and decision, and have asked to record their dissent immediately after the decision is concluded.

Revisions to and application of Standing Orders

These Standing Orders will be reviewed after six months of being agreed and regularly thereafter at a frequency to be determined by the Board (or earlier should members raise any immediate concerns).

The validity of anything done by the SCoSS is not affected by any defects in the operation of these Standing Orders.