

NOT PROTECTIVELY MARKED

SCOTTISH POLICE SERVICES AUTHORITY

March 2007

STANDING ORDERS

SPSA 0001

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Introduction

1 The Scottish Police Services Authority (SPSA) is a public body corporate established under the Police, Public Order and Criminal Justice (Scotland) Act 2006 ("the Act"). The constitution of SPSA is set out in Schedule 1 of the Act.

2 This document provides the Standing Orders for the SPSA Board and should be read in conjunction with the responsibilities, duties and functions outlined in Appendix A.

Standing Order 1 - Meetings

3 The Board of SPSA shall meet not less than six times in each year at times and venues agreed by the Board provided that:

3.1 The Convener or in his absence the Deputy Convener may at any time alter the time and/or place already decided upon for a particular meeting or may order the convening of a meeting.

3.2 The convening of a meeting may be sought at any time by a written request signed by three members of the Board specifying the nature of the business that they wish to discuss at such a meeting.

3.3 If the Convener or in his absence the Deputy Convener agrees that an emergency meeting of the board is required this may be held without the notice required by these standing orders being given provided that any decisions taken at that meeting are reported at the next meeting of the board.

Standing Order 2 – Chair of Meetings

4 The Convener, or in his absence the Deputy Convener, or in the absence of both, a Member of the Board selected by the agreement of the Members present shall preside at a meeting of the Board. Any power or duty assigned to the Convener in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

Standing Order 3 - Attendance

5 The names of Members and officials present at a meeting of the Board shall be duly recorded in the minutes and a register shall be kept showing details of the meetings attended by Members and be presented annually.

Standing Order 4 - Quorum

6 The quorum for meetings of the Board of SPSA shall be four. No formal business shall be transacted at any meeting unless a quorum is present.

7 A quorum must exist throughout the meeting. If, at any stage during the meeting, the Chair declares that there is not a quorum present, the meeting shall stand adjourned until the date and time fixed for the next ordinary meeting, unless another date is subsequently agreed.

Standing Order 5 - Adjournment

8 The Board may adjourn any meeting to any other time or place with majority agreement.

Standing Order 6 – Minutes of Meeting

9 Minutes of the proceedings of the Board shall be prepared and a copy circulated to Members of the Board in accordance with these Standing Orders. Minutes shall be submitted to the next ensuing meeting of the Board and shall be taken as read, and shall then be approved with or without amendment.

10 Once so approved the minutes shall then be deemed to be a true record of the proceedings to which they relate and they shall be signed by the person presiding at the Meeting to which they relate and a central copy retained of all approved minutes of meetings.

Standing Order 7 - Notice of Meetings and Agenda

11 At least 2 months before the end of each calendar year a list of dates for the following year's Board Meetings shall be submitted to the Board for approval.

12 Preferably one week and at least four clear days before a Meeting of the Board there shall be issued to every member of the Board a copy of:

12.1 A notice convening the meeting giving time and place.

12.2 A statement of the business to be transacted at the meeting (agenda). All items on the agenda should clearly indicate whether the matter is for discussion, decision or information for noting.

12.3 All reports and other documents referred to in or to be read with the agenda. All reports and other documents shall be clearly marked to indicate if the paper is for 'Information only' 'Discussion' or 'Decision'.

12.4 If there are any reports or other documents, copies of which cannot for good reason be circulated with the agenda, these may, at the Convener's discretion, be tabled at the meeting.

13 Any matter or business not set out in the agenda may be raised at the meeting and may be discussed or decided provided there is the consent of the majority of the Members present at that meeting. Such consent will be obtained at the start of the meeting when the agenda for that meeting is being agreed.

14 The order of business at meetings of the Board shall generally be:

14.1 Declarations of interest involving agenda items (per SPSA's Code of Conduct for Board Members).

14.2 Apologies for absence.

14.3 Appointment of a chair for the meeting if the Convener and Deputy Convener are absent.

14.4 Agreement on the agenda and other competent business for the meeting.

14.5 Approval as a correct record and signing of the minute of the last board meeting.

14.6 Disposal of any business (if any) remaining from the last meeting or matters arising from the minute not otherwise on the agenda.

14.7 Dealing with business in the order in which it is noted on the agenda.

14.8 Dealing with other competent business.

15 The foregoing order of business may be varied by the Convener at his discretion with the consent of a majority of the Members of the Board present at the meeting.

Standing Order 8 - Conduct

16 Members shall be expected to comply at all times with the SPSA Code of Conduct for Board Members or any modification of that document.

Disclosure of Financial Interests

17 It shall be the duty of every Board Member to declare any personal or business interests which may conflict with their responsibilities as Board Members. All Board Members will be required to complete each calendar year a register form listing directorships and any transactions between SPSA and businesses in which Members have a material interest. In addition, transactions over £1,000 between SPSA and businesses in which Members have a material interest shall be detailed in SPSA's annual accounts.

18 It shall be the duty of every Board Member who has any personal or business interest, direct or indirect in any project or business or other matter and is present at any meeting of the Board at which that project or business or other matter is, or is to be, considered to disclose openly to the meeting at the start of that meeting the nature of his interest and, if the interest is financial or material. The Member should leave the room for the duration of the deliberation on that item.

Disclosure of Information

19 The Official Secrets Acts, 1911 to 1989, apply to Board Members of the SPSA, whether or not Declarations under the Acts have actually been signed by the individuals concerned. There is no objection to the open discussion of matters which have already been made public officially; but Board Members are expected to treat as strictly confidential, information received by them in the course of their duties unless and until it has entered the public domain. This paragraph applies particularly to information obtained by Board Members in the course of their duties, irrespective of classification. In case of doubt, Board Members should seek guidance from the Convener and Chief Executive, regarding matters to which they desire to make public reference.

20 In general, subject to the above considerations, it is the policy of the Board, to conduct its business with as much openness and as little secrecy as possible. Once decisions have been taken, the Board will make them known at the earliest practicable time. Until then, the obligations set out in this Standing Order are binding on Board Members.

21 Board Members or former Board Members who wish to make use of confidential information acquired in the course of their duties for the purposes of articles, lectures, speeches, broadcasts, interviews, books, or similar purposes, should obtain the written consent of the Chief Executive beforehand.

22 A Board Member who receives payment for an article, lecture, broadcast, interview, or book written or given by him in relation to SPSA matters may retain any fee or royalty receivable by him for this purpose (subject to paragraph 21).

Expenses, Travelling and Mileage Allowances

23 Board members may claim expense allowances to cover expenditure necessarily incurred in the course of duty. Details of these allowances and the procedures for making claims are set out in SPSA Financial Memorandum, supported by the organisation's Expense Policy. Board Members are expected to adhere to the highest principles of integrity in claiming for such allowances.

Papers and Documents

24 Board Members will be held personally responsible for the safe custody of any papers or documents which may be issued or entrusted to them in the course of their duties. The loss of any such documents should be reported immediately to the Chief Executive.

Interpretation

25 Where the context so admits, every reference to the masculine gender shall be taken to include a reference to the feminine gender.

Standing Order 9 - Constitution and Procedures of Committees

26 The Board may constitute a sub- committee of its Members to which it may delegate such of its functions as it may specify, with such terms of reference and with such powers as it may determine. Unless that committee is given delegated powers of action all findings of that committee shall be submitted to the Board for adoption.

27 The Board shall designate the Chair of any committee so appointed. No business shall be transacted at a meeting of any Committee unless two Members of the Board are present.

28 The provisions of these Standing Orders shall apply as if the Committee were referred to instead of the Board. A Committee shall, subject to any directions by the Board, meet at such times and places as they may from time to time determine.

29 The Board shall constitute an Audit committee as a formal sub committee of the Board. It shall comprise at least two non-executive members and be chaired by one. The Audit committee shall have written terms of reference and shall be given a clear programme of work by the board.

30 The Board shall constitute a Human Resources committee to deal as appropriate with Executive and other remuneration issues which fall outwith the scope of the collective bargaining agreements, and HR matters, including as required appeals under Disciplinary and Fairness at Work Grievance procedures.

31 The Board may constitute committees. The Board may agree to co-opt external members on to any committee which it constitutes. Such members shall be bound by the conditions set out in Standing Order 8. Decisions taken by a committee which includes external members shall be subject to approval at the next Board meeting.

Standing Order 10 - Emergency Action by Convener

32 The Convener of the Board may take or instruct action in any matter referred to him for action by the Board within the terms of reference and powers delegated by the Board provided that any such action is reported in due course to the Board.

33 The Convener, or in his absence the Deputy Convener, may between meetings of the Board, authorise such action to be taken on behalf of the Board as may be required on matters which must be resolved before the next meeting and may direct the signing on behalf of the Board of Deeds, Notices, Warrants or other documents as may be required for the transaction of such matters provided that any action of this nature is reported to the Board at its next meeting.

Standing Order 11 - Revocation and Variation of Standing Orders

34 No Standing Order adopted by the Board shall be suspended at any meeting except by consent of at least five Members of the Board present.

35 These current Standing Orders may be varied or revoked and additional Standing Orders adopted but only with the consent of the majority of the Members of the Board present at each of two consecutive meetings of the Board

36 The Chief Executive or Convener may submit to the Board a note of any new Standing Order or alteration of any existing Standing Order which may seem to him to be required to ensure the effective operating of the Board. However, new Standing Orders will require the consent of the Board as set out in paragraph 33 above.

Standing Order 12 - Continuance of Standing Orders

37 The above Standing Orders shall remain in force until altered by resolution of the Board as above in Standing Order 11.

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BOARD RESPONSIBILITIES

The Board has corporate responsibility for ensuring that SPSA fulfils the aim and objectives set by the Scottish Ministers and for promoting the efficient and effective use of staff and other resources by SPSA in accordance with the principles of Best Value - see relevant section of the SPFM. To this end, and in pursuit of its wider corporate responsibilities, the Board shall:

- establish the overall strategic direction of SPSA within the policy, planning and resources framework determined by the Scottish Ministers;
- agree targets with the Agency but not interfere with any operational matters which remain the direct responsibility of the Director General.
- ensure that the Scottish Ministers are kept informed of any changes which are likely to impact on the strategic direction of SPSA or on the attainability of its targets, and determine the steps needed to deal with such changes;
- ensure that any statutory or administrative requirements for the use of public funds (i.e. all funds falling within the stewardship of SPSA) are complied with; that the Board operates within the limits of its statutory authority and any delegated authority agreed with the Departmental Accountable Officer, and in accordance with any other conditions relating to the use of public funds; and that, in reaching decisions, the Board takes into account relevant guidance issued by Scottish Ministers / the Department;
- ensure that the Board receives and reviews regular financial information concerning the management of SPSA; is informed in a timely manner about any concerns about the activities of the Authority; and provides positive assurance to the Department that appropriate action has been taken on such concerns;
- demonstrate high standards of corporate governance at all times, including by setting up and using an independent audit committee - in accordance with the guidance on Audit Committees in the SPFM - to help the Board to address the key financial and other risks facing SPSA;
- provide commitment and leadership in the development and promotion of Best Value principles throughout SPSA;
- appoint*, with Scottish Ministers' approval, a Chief Executive of SPSA and, in consultation with the Department, set performance objectives and remuneration terms linked to these objectives for the Chief Executive which give due weight both to the proper management and use of public monies and to the delivery of outcomes in line with Scottish Ministers' priorities.

* The appointment of SPSA's first Chief Executive was made by Scottish Ministers after consultation with the relevant bodies outlined in Schedule 1, paragraph 9 of the Police, Public Order and Criminal Justice (Scotland) Act.

References to "SPSA", "the Authority" and "the organisation" include for the purposes of the this appendix the Scottish Crime & Drug Enforcement Agency.

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