

Parole Board for Scotland

Parole Board Management Group

Standing Orders

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## **Application of Standing Orders**

1. The provisions of these Standing Orders shall be binding on Parole Board Management Group (PBMG), on each member of PBMG and all office holders attending PBMG.

## **Composition of Parole Board Management Group**

2. As set out in the Memorandum of Understanding (MoU) between the Chair of Parole Board for Scotland (PBS) and Scottish Ministers dated 17 February 2017, the Parole Board Management Group (PBMG) shall consist of the Chair of PBS, vice chair(s) if appointed, Chief Executive Parole Scotland (CEPS) and up to 2 PBS members.

3. PBS members may elect up to 2 members to serve on the PBMG. Elected members shall serve for not more than two successive terms of two years from date elected.

## **Election of Members**

4. The CEPS shall invite nominations and give members no less than 20 working days to submit such nominations. Such invitation shall give the closing date and time for nominations and no nominations shall be accepted after then.

5. No later than 5 working days after the closing date, the CEPS shall advise members of the names of the nominees and hold a ballot in which each member may vote for a nominee. Where an election is to fill two vacancies each member may vote for up to two nominees.

6. A period of no less than 10 working days shall be allowed for voting and the CEPS will give the closing date and time when advising members of the names of the nominees. No vote shall be counted if received after then.

7. The results shall be issued by the CEPS within 2 working days of the period allowed for voting.

## **Chair of PBMG**

8. The Chair of PBMG shall be the Chair of the Parole Board for Scotland (PBS).

9. In the absence of the Chair, the Vice Chair shall chair PBMG. Where two Vice Chairs have been appointed one of them shall be nominated to chair PBMG by the Chair. Unless the context otherwise requires, references in these standing orders to the chair in relation to the conduct of meetings shall be deemed to apply to the person chairing a meeting under the provisions of paragraph 15.

**10.** The person chairing any meeting of the PBMG shall be responsible for the general conduct of the meeting and, without prejudice to that generality, shall -

**10.1** preserve order and ensure that every member has a fair hearing;

**10.2** decide on all matters of order, competency and relevancy; and

**10.3** determine all questions of procedure in reference to which there is no express provision in legislation or under these standing orders.

**11.** Any ruling of the person chairing any PBMG meeting is final.

### **Corporate Secretary**

**12.** The CEPS shall be Corporate Secretary of PBMG.

### **Responsibilities of Corporate Secretary**

**13.** The responsibilities of the Corporate Secretary shall be to:

**13.1** convene PBMG meetings;

**13.2** arrange and agree agenda in consultation with the Chair;

**13.3** receive proposed agenda items from members;

**13.4** receive apologies from members;

**13.5** distribute PBMG papers;

**13.6** take minutes of PBMG meetings;

**13.7** publish minutes;

**13.8** record Declarations of Interest; and

**13.9** review conduct requirements and ensure procedures are followed.

**14.** The Corporate Secretary shall, in consultation with the Chair, have power to delegate Corporate Secretary duties.

## **Conduct**

**15.** At PBMG and Committee meetings:

**15.1** the Chair, shall take the chair. In the absence of the Chair, the relevant person in terms of paragraph 9 shall take the chair;

**15.2** every member shall address the meeting through the Chair;

**15.3** the Chair and any member of PBMG recognized by the Chair shall be heard without interruption;

**15.4** if any member disregards the authority of the Chair, or is guilty of obstructive, aggressive or offensive conduct, the Chair may suspend the member for the remainder of the meeting; and

**15.5** the Chair shall be entitled, in event of any disorder or obstructive, aggressive or offensive conduct arising, to adjourn the meeting.

## **Schedule of PBMG Meetings**

**16.** PBMG shall agree an annual schedule of meetings.

**17.** The PBMG shall be scheduled to meet every 3 months or more regularly if deemed necessary by the Chair.

**18.** CEPS may, in consultation with the Chair, cancel any scheduled meeting where there is insufficient business to justify the meeting. It is presumed, however, that where there is a quorum and business to be transacted meetings shall take place as scheduled.

**19.** In addition to scheduled meetings, PBMG may meet on an ad hoc basis to deal with any substantive business that requires to be transacted before the date of the following scheduled PBMG meeting.

**20.** Members may participate in the meeting by video or telephone link.

## **PBMG Papers & Order of Business**

**21.** Papers in relation to proposed business shall routinely be sent to each member's SCOTS e-mail address at least 5 working days before the meeting. Proceedings of any meeting shall not be invalidated by any accidental failure to comply with the requirements of this paragraph.

**22.** The order of business shall be determined by the Chair at the start of the meeting, but generally shall follow the order stated in the agenda.

**23.** An item of business not appearing on the agenda for the meeting may be considered at the meeting provided the Chair is notified of the item prior to the commencement of the meeting and is of the opinion that there are special reasons, which the Chair shall specify, why the item requires to be dealt with as a matter of urgency or why it is otherwise expedient to deal with the item at that time.

### **Adjournment of Meetings**

**24.** The Chair may for good reason, which the Chair shall specify, adjourn any PBMG meeting to such date and time as he or she may deem fit.

**25.** At an adjourned meeting, proceedings shall commence at the point at which the previous meeting was adjourned.

### **Quorum**

**26.** In terms of paragraph 5.2 of the MoU, the quorum of a meeting of the PBMG shall be three which must include the person chairing the meeting and CEPS or their Deputy where there are elected members and/or appointed Vice Chair(s).

**27.** Where there are no elected members or appointed Vice Chair(s), the Chair shall exercise the functions of PBMG.

**28.** If a quorum is not present, the Chair may adjourn the meeting for 60 minutes and if a quorum is not present at the end of that period, the Chair shall close the meeting and shall adjourn the meeting to a specified date.

### **Minutes of Meetings**

**29.** The Corporate Secretary shall ensure that proper minutes of meetings are recorded and such minutes shall contain a record of all decisions and other proceedings. The minutes should clearly record where any decision is not unanimous.

**30.** Draft minutes shall be prepared by the Corporate Secretary and shall be issued to the Chair not more than five working days after the meeting for review.

**31.** Draft Minutes will be circulated to members of PBMG as soon as available for approval. Any areas of dispute shall be resolved as soon as possible and at the next scheduled meeting at latest.

**32.** A rolling record of action points will be maintained and reported on, by exception, at each meeting.

**33.** Approved Committee minutes shall be submitted to the following meeting of the PBMG for information and ratification.

## **Provision of Information**

**34.** Information presented to the PBMG or Committee shall be categorised as follows:

**34.1** Decision Information – Information needed to make decision;

**34.2** Monitoring Information – Information needed to measure and assess performance; and

**34.3** Note – Other information.

**35.** The Agenda format for PBMG and Committees meetings will include:

**35.1** Apologies;

**35.2** Declaration of Interests;

**35.3** Minutes of previous meeting;

**35.4** Matters Arising;

**35.5** Items for Decision;

**35.6** Items for Monitoring; and

**35.7** Items for Note.

**36.** All papers/information presented to the PBMG and Committee meeting will contain an overview paper (Appendix A) which will outline for Members the following components of the paper:

**36.1** Purpose;

**36.2** Priority;

**36.3** Key issues;

**36.4** Action required;

**36.5** Desired Outcome;

**36.6** Corporate Risk; and

**36.7** Financial, HR, Legal, Communication Issues

## **Decision Process**

37. The Chair shall seek the views of members in attendance on all matters requiring a decision and otherwise manage the decision making process in a way that will facilitate achievement of consensus.
38. The Chair can move for any decision item to be decided by vote.
39. Each member of PBMG or any committee shall have one vote. All matters put to the vote shall be decided by a simple majority of those members present at the meeting. In the event of equality of votes, the Chair shall have a casting vote. All decisions taken by PBMG shall be taken for the good of the Parole process in Scotland and not for any single part of that process.
40. When a decision is taken, all members of PBMG shall accept collective responsibility for the decision and its execution.
41. In the event of any urgent matter requiring to be decided before a meeting of PBMG can reasonably be held, CEPS may invite the Chair to deal with the matter and the Chair shall have power to do so.
42. In such circumstances, the Chair shall, where reasonably practicable, consult with members of the PBMG, before deciding the matter.
43. Any matter dealt with by the Chair under the provisions of this paragraph shall be reported to the following PBMG meeting for its consideration.

## **Attendance of Staff**

44. Subject to agreement with the Chair, CEPS may invite members of the senior staff team or other individuals to the meeting of the PBMG to provide specialist or other information, to assist the deliberations of members or for training and development purposes.
45. Staff attending meetings shall have the right to be heard but shall have no right to vote and they shall not be allowed to initiate debate or propose motions.

## **Declaration of Interests**

46. Declarations of interests in relation to matters under discussion are to be called at the commencement of all PBMG & Committee meetings
47. Any member of PBMG who becomes aware before or during any meeting of PBMG that they have direct or indirect interest or duty relevant to the matter under discussion which is material and conflicts or may conflict with the interest of PBS will declare such interest and not take part in discussion or vote upon that matter.

**48.** The meeting shall consider, and the Chair shall decide whether it is, or may become, appropriate for the member to leave the meeting in such circumstances. Any action taken in respect of this paragraph shall be formally minuted in the record of the meeting.

**49.** Members who declare a financial interest in respect of any agenda item to be discussed should have this formally recorded in the minute of the meeting and immediately withdraw while that item is discussed. The Chair shall invite a member declaring such an interest to rejoin the meeting on conclusion of any discussion and decision on such items. If a meeting becomes inquorate as a consequence of this provision the item shall be remitted to the next scheduled meeting of that body.

**50.** Members who declare a non-financial interest must consider whether or not they can continue to take part in any discussion of the related matter and, if in doubt, should discuss the matter with the Chair.

### **Review of Standing Orders**

**51.** It shall be the responsibility of the Corporate Secretary to routinely review the Standing Orders to identify the need for any necessary amendments and to propose any necessary amendments to the Standing Orders as a consequence of:

**51.1** changes in primary or secondary legislation or common law;

**51.2** guidance issued by Scottish Government or the sponsor department;

**51.3** changes in sponsorship arrangements;

**51.4** changes in MoU;

**51.5** recommendations made by either internal or external auditors; and

**51.6** a need to improve the conduct of meetings of PBMG.

**52.** The Corporate Secretary shall advise the Chair of any matter under paragraph 51 as soon as it comes to his or her notice, to enable interim action to be taken in response thereto, and shall lay any resultant amendments before the next PBMG meeting.

### **Committees of PBMG**

**53.** The Committees are:



- 53.1 the Training and Development Committee.
- 53.2 The Guidance Group

APPENDIX A:

Month/Year Presented  
Information Category

PBMG Paper Number Paper  
Title

1. Purpose
  - 1.1 Explain the purpose of the report being presented to the PBMG/Committee
2. Priority
  - 2.1 Classify Priority rating – Urgent/Routine
3. Key Issues
  - 3.1 List key issues contained in the report
4. Proposals for action
  - 4.1 Inform the PBMG/Committee of action being sought
5. Desired Outcome
  - 5.1 Inform PBMG/Committee of desired outcome of their action
6. Corporate Risk
  - 6.1 Detail any relevant risks
7. Finance, HR, Legal and Communication Issues
  - 7.1 Detail impact the action will have on these categories

Name of Person Presenting

Report Title