

FOOD STANDARDS SCOTLAND GOVERNANCE

1 Purpose of the paper

- 1.1 This paper seeks the Board's approval of a collated Code of Governance ('the Code') which brings together the key documents developed to support FSS governance. The shadow Board discussed and commented on early drafts of the individual governance documents, and the documents have been revised accordingly.
- 1.2 The Board is asked to:
- **Approve** the Code of Governance
 - **Agree** that the Code should be subject to annual review

2 Background

- 2.1 The shadow Board reviewed and commented on early drafts of:
- The Framework Document
 - The Statement on Performance of Functions
 - The Code of Conduct
 - Terms of Reference for the Board
 - Terms of Reference for the Audit and Risk Committee
 - Standing Orders
 - The Scheme of Delegation
- 2.2 The shadow Board suggested various amendments, and in particular requested re-allocation of content between the Terms of Reference and the Standing Orders, and clarity on those matters reserved to the Board and those delegated to the Chief Executive.

3 Discussion

- 3.1 The Standing Orders and Terms of Reference have been revised as suggested. Other drafting amendments to the governance documents have been made, and are highlighted within the draft documents attached. The Board's attention is drawn in particular to the following points:
- References to the Portfolio Accountable Officer have been removed from the Framework Document. This is because the Principal Accountable Officer has designated the FSS Chief Executive as Accountable Officer for the FSS portfolio, and with direct accountability to the Scottish

Parliament in that respect.

- The Framework Document now includes a section on Responsibilities and Delegation (paragraphs 3.7 to 3.9) and those paragraphs have been reproduced as a separate Scheme of Delegation document that clarifies the matters reserved to the Board and the responsibilities of the Chief Executive.
- The Statement on Performance of Functions has been amended and submitted to the Minister for Public Health for approval. The Board's approval of the Code and its content will be subject to the Minister's approval of the Statement, which will be included in its final and approved form before the Code is published.

3.2 The Code of Governance now submitted to the Board for approval contains:

- An introduction
- The Framework Document (Annex A)
- Terms of Reference for the Board (Annex B)
- Terms of Reference for the Audit and Risk Committee (Annex C)
- A Scheme of Delegation (Annex D)
- The Statement on Performance of Functions (Annex E)
- Standing Orders (Annex F)
- The Code of Conduct (Annex G)

4 Recommendations

4.1 The Board is asked to:

- **Approve** the Code of Governance
- **Agree** that the Code should be subject to annual review

Karen McCallum-Smith

Karen.McCallum-Smith@fss.scot

Tel: 01224 285133

13 April 2015