

Schedule 1 decision-making committee

Terms of Reference

The Commission may delegate the discharge of functions to a Committee pursuant to paragraph 9 of Schedule 1 to the Act.

1. MEMBERSHIP

A committee established pursuant to Schedule 1 will be composed of at least one Commissioner and one other person. Contentious issues and matters of particular complexity may be referred to a Schedule 1 committee composed of two or more Commissioners. The Committee may include members of staff as long as one Commissioner participates. If the Committee includes an external person who is not a member of staff, they may be a decision maker. Otherwise, the Commissioner/s present are the only decision makers on such Committees and the staff role is confined to providing support and making proposals to the Commissioner/s, unless the committee is a recruitment panel to which the Board has delegated authority to appoint. In this case only, staff may act as decision makers along with a Commissioner.

2. ROLE

The role of the Committee is to discharge certain functions of the Commission through a Committee rather than through the full Board acting in a Board meeting. The Committee's decisions do not require ratification by the full Board of Commissioners.

3. MEETINGS AND DECISIONS BY CORRESPONDENCE

- Meeting dates will normally be scheduled on a regular basis, in advance, and all Commissioners will be asked to indicate their availability and willingness to attend.
- A minimum of two people, one of whom is a Commissioner will be in attendance for a meeting to be deemed quorate.
- As membership will change depending on availability, the Committee will be chaired by one of the Commissioners present. The role of Chair will be rotated and will be determined in advance, when meeting dates are set.
- The Committee may ask any members of staff of the Commission to attend to assist with its discussions on any particular matter or as members of the Committee in an advisory and support capacity.
- Committee members may ask for expert advice to inform decisions, both written advice and in person at meetings.
- All Committees are open to the Chief Commissioner and Chief Executive to attend as they feel appropriate or at the request of the Committee, unless the schedule 1 committee is operating as a recruitment panel, when only panel members will be present.
- Attendance at meetings can be by electronic means.
- Where a decision review is under consideration, any Commissioner present who was part of making the original decision will leave the meeting during the discussion and decision on the decision review.

- Decisions may also be made by written procedure. In this case, there is no requirement for a Chair, but the membership requirements are the same as for a meeting and decisions will be made by Commissioners.
- When decisions are made by correspondence, the date of the decision will be the date on which the last Commissioner participating in the committee gives their decision.
- If a decision is made by correspondence, where a single Commissioner is sitting with a member of staff, and the Commissioner involved wishes to refer the decision to a meeting involving more than one Commissioner, this can be done in writing on the relevant decision template.

3.1 Frequency of meetings

The Committee will meet as required to make decisions as they arise. Committee decisions by correspondence will be arranged directly with the Commissioner(s) and any others participating and a final date will be given for decisions to be received.

3.2 Authority

- The Committee is authorised by the Board to discharge the Commission's functions under the Charities Act 2008 as set out in this terms of reference.
- In carrying out its functions it is authorised to seek any information it requires from any member of staff, through the Chief Executive, and all members of staff are directed to co-operate with any request made by the Committee.

4. REPORTING

- A record of the decisions made will be kept and furnished to the next scheduled Board meeting of CCNI for information.
- Decisions made will be published in line with the Commission's 'Publishing our decisions policy'.
- Commissioners will bring to the Board for approval any recommendations they consider necessary as to the operation of the Committee.

5. REVIEW / SELF ASSESSMENT

The Committee will periodically review and update its own terms of reference and procedure, requesting Board approval for proposed changes and, at appropriate intervals, evaluate its own performance against terms of reference and best practice.