

# Poverty and Inequality Commission

## *Commission Membership and Terms of Reference*

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## 1. Membership

### Chair

Douglas Hamilton

### Deputy Chairs

Naomi Eisenstadt

Kaliani Lyle

### Commissioners (appointed to 25 August 2017)

- *David Eiser*
- *Hugh Foy*
- *Caroline Kennedy*
- *Katie Schmuecker*
- *Sally Witcher*

## 2. Roles and Responsibilities of the Commission

The Poverty and Inequality Commission has been established initially until 30 June 2019, and will offer independent advice to Scottish Ministers and provide constructive scrutiny to help bring about real reductions in poverty and inequality in Scotland.

The Chair has decided on and appointed Commissioners in consultation with the Deputy Chairs. The Commission will have a final say on its work plan.

The Commission's main role is to provide **independent advice** to Scottish Ministers, harnessing determined collective action on a cross-portfolio basis; scrutinising how governmental budgets, policy and practice can have the strongest impacts on poverty and inequality. Specifically it will;

- Have a strong initial focus on child poverty, providing advice during the development of the first delivery plan for the Child Poverty (Scotland) Bill.
- Have a strong **scrutiny** role in monitoring progress towards tackling poverty and inequality and will openly hold Scottish Ministers to account on their progress.
- Have scope to develop its own work programme and to advise on policy development in particular areas where there is political consensus to do so
- Proactively work with the Ministerial team, asking Ministers to give evidence where necessary, and reaching across Scottish Government departments to inform policy thinking.
- Have an **advocacy** role; for example, it will be able to work with business and wider civic society to promote the importance of particular issues where resources allow.
- Decide how it can best involve partner organisations in its work, including third sector stakeholders and relevant public bodies.
- Work collegiately with other independent institutions, seeking to enhance, rather than replicate, the work that is undertaken.

## 3. Expectations of Commission Members

Commissioners have been invited to sit on the Commission as individuals and are not intended to be representatives of particular groups or organisations.

Commissioners are expected to:

- Exercise their individual talents and areas of expertise by briefing and guiding the Commission
- Attend Commission meetings regularly and on time
- Notify the Secretariat at the earliest opportunity if they are unable to attend scheduled meetings
- Prepare adequately for these meetings by, for example, proposing agenda items, reading papers in advance, preparing and presenting papers for consideration; participating in discussion, and helping to reach a consensus view
- Conduct themselves in an appropriate manner and to respect the views and decisions of other Commission members
- Protect information that you receive in confidence from unauthorised disclosure
- Observe and conduct themselves according to the [Seven Principles of Public Life](#)
  - **Selflessness**
  - **Integrity**
  - **Objectivity**
  - **Accountability**
  - **Openness**
  - **Honesty**
  - **Leadership**

#### **4. Work Plan**

The Commission will discuss its draft work plan with Ministers but it will have the final say on what it chooses to consider. Ministers can specifically request that the Commission looks at a particular issue, however the Commission will consider whether it is able to do so.

The Chair has agreed that the Commission will offer advice on the first delivery plan, due for publication under the Child Poverty (Bill) Scotland. The delivery plan is due for publication in April 2018. The request for advice will come via letter from the Cabinet Secretary for Communities, Social Security and Equalities, Angela Constance.

In considering its longer term work plan, the Commission will maintain a sharp focus on poverty and inequality and seek to narrow the inequality gap, working to a timeline consistent within the 2030 Sustainable Development Goals, Fairer Scotland vision and the Child Poverty targets.

The Chair has also agreed that the Commission will monitor progress on recommendations made by the Independent Advisor on Poverty and Inequality in her reports over the remainder of the parliamentary term.

It is expected that the Commission's work programme will include a report on reducing economic inequality, which will include statistical and analytical overviews of the current position.

The Commission will identify and monitor key risks which could impair its ability to fulfil the role outlined above and to complete its work plan.

## **5. Information Sharing**

The Commission is committed to being as open and transparent as possible, and to this end will proactively share what information it can. Information to be released will be considered by the Chair and should not be released without his explicit consent.

Reports, Minutes and other information will be made available through the Commission's dedicated web presence which should be available by January 2018. In the interim information will be made available through the gov.scot Beta website via <https://beta.gov.scot/povertyinequalitycommission/>

### **Information Sharing with the Scottish Government**

Consideration has been given to ensure that work undertaken by the Commission is only shared with the Scottish Government when it is ready to do so.

IT provisions supplied to the Chairs will have a dedicated email account and C: Drive. Delegate email access will be provided to the Secretariat in order to handle urgent enquiries, however access will not be possible out with this group.

The Secretariat will have access to a secure file server which is restricted from Scottish Government staff. Draft reports and other files of interest to the Commission will be stored in this location, files can be retrieved by the Secretariat only.

### **Freedom of Information (Fol)**

Information stored on behalf of the Commission as outlined above will not be subject to Fol release where requests are made to the Scottish Government.

Any information, emails or other correspondence with Scottish Government officials, which is held by these officials, will be within the scope of requests made.

## **6. Commission Meetings**

Meetings of the Commission will be chaired by Douglas Hamilton, or in his absence by one of the Deputy Chairs. It is anticipated that meetings will take place every two

months but additional meetings may require to be scheduled, particularly in the first 6 months of the Commission's life.

### ***Absence***

Whilst every effort should be made to attend all meetings of the Commission, it is recognised that Chairs or Commissioners may need to be absent on occasion due to annual leave, conflicting arrangements or other requirements out-with their control.

Once you are aware that you are unable to attend you should notify the Secretariat of this in the first instance at the earliest opportunity. If there are any interests or findings you wish to share a suitable paper should be submitted in advance of the meeting.

### ***Agenda***

Each Commission meeting will have a set agenda. The Chair will invite commissioners to contribute agenda items, and will have the final say on what should be included. Items for the agenda should be forwarded to the secretariat team at least a week before any scheduled meeting. Any papers for consideration should be made available as early as possible.

Whilst time will be allocated for any other business, advanced notice should be given of any significant issues to be considered. These issues should be notified to the secretariat as above.

### ***Minutes***

Minutes of meetings will be made available through the Commission website as soon as practicable after the meeting, unless items are to be considered in private. The secretariat team will circulate these minutes to members to ensure they are content. Minutes will reflect the discussion but will not make specific reference to Commissioners by name, points agreed will be noted accordingly.

### ***Guests / Evidence***

Ministers, Stakeholders and Officials may be asked to give evidence to the Commission at their discretion. The Chair will determine whether those providing evidence should be invited to participate in the remainder of the meeting.

### ***Decision Making***

The Commission will seek to reach decisions by consensus. However, if the Commission needs to make a decision, a vote will be taken. Each member will be allocated one vote and, in the event that no clear decision is reached, i.e. equal votes, the Chair will have the casting vote.

All decision outcomes and the numbers for and against will be noted in the minutes.

### ***Quorum for Meetings***

The quorum for any Commission meeting and vote must be one half (rounded up to a whole number) of the complete membership. *For example*; if full membership is 9, then the quorum for a Commission meeting is 5 members.

### ***Public Meetings***

An annual public meeting may be held to discuss a particular area of interest or to explore good work within a particular region. The location and format of this will be decided by the Commission.

## **7. Working Groups**

The core Poverty and Inequality Commission represents a broad range of experience and knowledge, however in order to provide robust advice it may on occasion be necessary to draft in additional expertise. These groups will be formed to examine a particular issue or area of policy, it is anticipated that the number of working groups will not exceed 2 – 3 in any given year.

Working Groups will be formed at the discretion of the Commission, and a lead Commissioner(s) will be appointed to oversee each project. Requests to form a Working Group should be submitted to the Chair and should document the rationale, requirement and proposed membership for the Group.

Working Groups will then be considered by the Commission, who will decide on whether the focus is appropriate and who should Chair the Group. The Group Chair will then decide on members to form the group. Groups should be short-life and contribute to the work of the Commission, they should make clear their anticipated reporting date on formation.

Support will be offered to each Working Group through the secretariat as far as is practicable. It is anticipated that each group's findings will be published at the end of each project through an appropriate report.

Working Groups should consider the membership size required in order to achieve a suitable range of knowledge, it is anticipated that they will normally consist of 6-8 members, however this is not limited.

## **8. Secretariat**

The dedicated secretariat comprises a Secretariat Manager / Policy Adviser, and an Administrator.

The secretariat is accountable to the Chair of the Commission and will be based out-with the directorate structure of the Scottish Government, attached to the Office of the Chief Social Policy Adviser. This office will provide managerial and personnel support to the officials providing this service. The team will be based across Atlantic Quay in Glasgow and Victoria Quay in Edinburgh once appointed.

Until the secretariat are in post, support will be provided by the Social Justice Strategy Unit. This interim support is expected to be in place until October 2017.

Duties undertaken by the secretariat will include;

- Managing the day to day work of the commission, including key pieces of work on poverty and inequality
- Contribute to the drafting and production of reports and other documents produced by the commission
- Provide policy advice to the Chair as required
- Arranging suitable meeting dates of the Commission
- Supporting Commissioners to organise travel and accommodation suited to their needs
- Preparing the agenda and circulating this, and related papers, with Commission members
- Taking minutes and action points from meetings
- Supporting Working Groups to engage appropriate specialists
- Maintenance of the Commissions dedicated web presence
- Supporting the Commission to engage with officials and Ministers as necessary

## **9. Other Support**

### ***Research / Analysis***

In order to ensure that appropriate independent analytical and research support is available, the Commission is in the process of sourcing analytical support from Policy Scotland, a research unit based at Glasgow University who will be able to draw on a range of academic expertise on issues of poverty and inequality.

The Joseph Rowntree Foundation (JRF) has agreed to play a formal role in providing policy and analytical support to the Commission as it prepares its advice for Ministers on child poverty. The exact form of this relationship is still to be finalised. Katie Schmuecker, Head of Policy at JRF will act as a bridge to JRF's UK work on anti-poverty strategy.

Requests for specific support can also be made from Scottish Government analysts where it would be appropriate to do so. The Scottish Government will prepare a protocol enabling the Commission to request this support.

## ***Communications / Media***

The Commission is considering appointing its own Communications and Social Media support and will engage services as appropriate.

## **10. Lived Experience of Poverty**

It is a core commitment of the Commission that people with lived experience of poverty are able to share their experience and help shape more inclusive policy. Membership of the Commission, and any working groups, will include people with lived experience.

The Commission will not seek to replicate existing bodies, such as the Poverty Truth Commission, and will instead seek to enhance what is already in place. To this end the Commission will work closely with stakeholder organisations to successfully engage those with lived experience.

Working groups and Commissioners will work alongside and seek input from a range of organisations to provide robust advice which takes account of those with lived experience.

## **11. Relationships with Ministers / Parliament**

### ***Reporting***

The Chair of the Commission will report directly to the Cabinet Secretary for Communities, Social Security and Equalities, as the lead Minister on equality issues. It has been agreed that the Chair will meet with the Cabinet Secretary quarterly to provide an update on work streams, current focus and outputs.

### ***Requests for Advice***

Ministers will make formal requests to the Commission for advice via the Chair. The Commission will consider whether it is able to incorporate this into its work plan and provide a formal notification to the Minister advising of their decision.

### ***Invitation for Ministers to Give Evidence***

Ministers may be invited by the Commission to give evidence on key issues of interest, it is likely that meetings of this nature will be in private, in order to enable an open and frank exchange of views.

### ***Parliament / Committees***

The Commission will make itself available to provide evidence, information, etc to the Parliament and any relevant Committees as necessary.

Invitations to give evidence at Committee will be received via the Chair / Secretariat, it will be for the Commission to decide on who will attend to represent the Commission at public Committee evidence sessions.



## **12. Budget**

An initial budget of £100,000 has been provided to the Commission for the period from establishment until the end of 2017/18. This budget will encompass all expenses of the Commission inclusive of salaries, travel and subsistence, IT provisions web presence etc. Secretariat expense will be borne by the Scottish Government.

Budgets for future years will be agreed with the Scottish Government in discussion with the Chair, the budget will be reviewed and aligned with the requirement of the Commission.

### ***Remuneration***

Commission chairs will be remunerated for time committed to the Commission at the rate agreed with Ministers at the time of appointment.

Commissioners will not attract a daily rate for attending routine meetings of the Commission. However, there is scope for remuneration to be made, with the Chair's agreement, where Commissioner commitments are substantially beyond this.

### ***Travel and Subsistence / Expenses***

Travel and accommodation as required can be arranged through the Secretariat Administrator, who will utilise the Scottish Government contract with Redfern Travel. Travel via train can be provided via this route, however local bus travel will not be able to be provided, it is envisaged that this will be reimbursed via the secretariat. A stock of Edinburgh to Glasgow tickets will be maintained by the secretariat and made available to Commissioners as required.

Any claims made for reimbursement must include relevant receipts to the value of the expense incurred. Once submitted these will be repaid into the relevant claimants account, normally within three business days.

Travel and accommodation expenses will be reimbursed in line with the Scottish Government Travel and Subsistence policy. All travel will be at standard class. Full details of current allowances and rates can be obtained through the Secretariat.