

## Public access to OSCR Board meetings

### 1. Introduction

The Scottish public has a high expectation of those who serve on the boards of public bodies and the way in which they should conduct themselves in undertaking their duties. The Board of the Office of the Scottish Charity Regulator have chosen to give members of the public an opportunity to attend board meetings to demonstrate and enhance our corporate values of openness and transparency.

The board meet five times a year, normally in the OSCR office in Dundee. Dates and locations of the meetings will be published on the OSCR website in each year. The agenda for the meeting will be published at least one week prior to the meeting, and board papers published at least two full days prior to the meeting (unless there are good reasons for shortening this notice period).

This policy sets out the terms for members of the public who wish to attend OSCR board meetings.

### 2. Public attendance at meetings

**2.1** The public (including stakeholders and representatives of the press) may attend all formal meetings of the Board as observers. However, they may be excluded from any part of the meeting which deals with business of a confidential nature, or about which publicity would be prejudicial to the public interest. Members of the public who attend a meeting of the Board may not participate in the meeting, unless invited to do so by the Chair, and may not in any circumstances, vote.

**2.2** On any occasions when the board is required to meet in private session, the papers considered and the detail of the board discussions remain confidential and are covered by section 3.11 and 3.12 of the Code of Conduct for Members of the Scottish Charity Regulator. Under that code it is a breach for any member to circulate, show or transmit any such material to any other person or body.

**2.3** Items of business which are considered by the Chair to fall within the following categories may be considered in private session:

- regulatory casework – the OSCR Board does not usually become involved in first instance decision-making, but progress on cases of strategic significance or raising issues of precedent are routinely reported to the Board

- matters relating to named charities
- matters relating to named persons which, were they to be discussed in public session, may give rise to a breach of data protection legislation
- matters relating to terms and conditions of employment of identified members of staff
- issues relating to potential or actual enforcement action where the outcome is not yet determined and in the public domain
- Internal reviews or First Tier Tribunal or Court of Session appeal proceedings where the outcome is not yet determined and in the public domain
- matters involving commercial confidentiality
- matters involving issues of financial sensitivity or confidentiality
- sensitive policy matters for discussion with the Scottish Government or other regulatory or public bodies
- other matters at the discretion of the OSCR Chair

**2.4** The Chair shall give such directions as he/she thinks fit in regard to the arrangements for meetings and accommodation of the public, so as to ensure that the business of the Board may be conducted without interruption or disruption. The Chair may resolve that the public are required to withdraw, in the interests of public order, where actions on the part of members of the public are preventing the business of the meeting being progressed.

**2.5** It is good practice not to leave a decision to meet in private to the day on which the item is scheduled to be taken. Taking such a decision in advance allows proper notice to be given to all interested parties and sets expectations for members of the public. If a decision has been taken at an earlier meeting, then the agenda item for business concerned will clearly indicate that the agenda item will be taken in private.

**2.6** The Board shall make arrangements to ensure that the accommodation used for Board meetings is fully accessible and that carers/facilitators can freely attend and assist any individual attending the meeting.

**2.7** Members of the public will not be permitted to record or broadcast proceedings in any manner other than in writing, or to make any oral report of the proceedings as they take place unless the prior agreement of the Board has been obtained.

**2.8** No photography shall be allowed at Board meetings, unless the express consent of the Board has been obtained and individuals within the meeting have consented.

**Please note there are limited public spaces available in our Board room for health and safety reasons but we will endeavour to accommodate as many members of the public as possible throughout the year.**